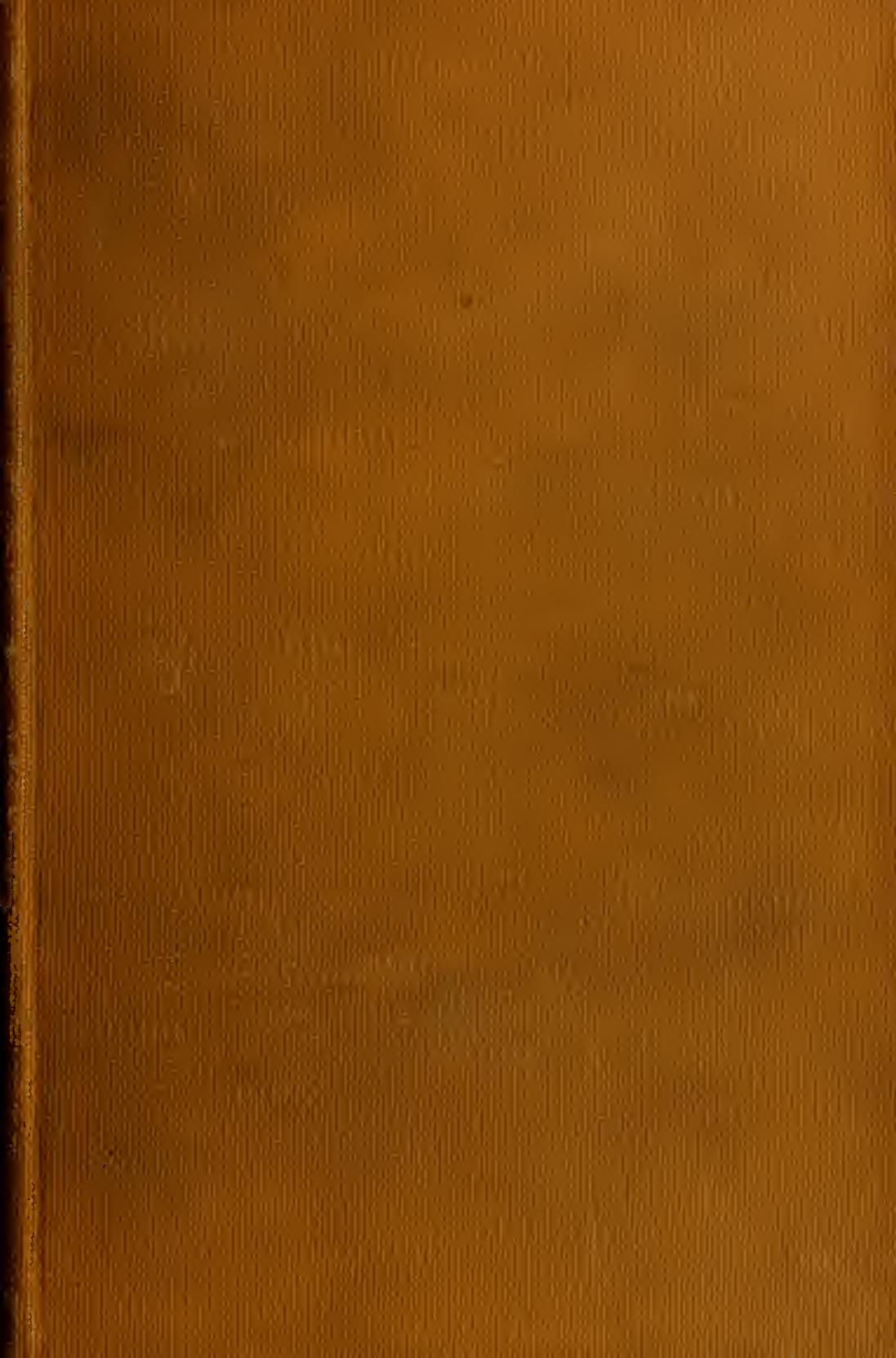
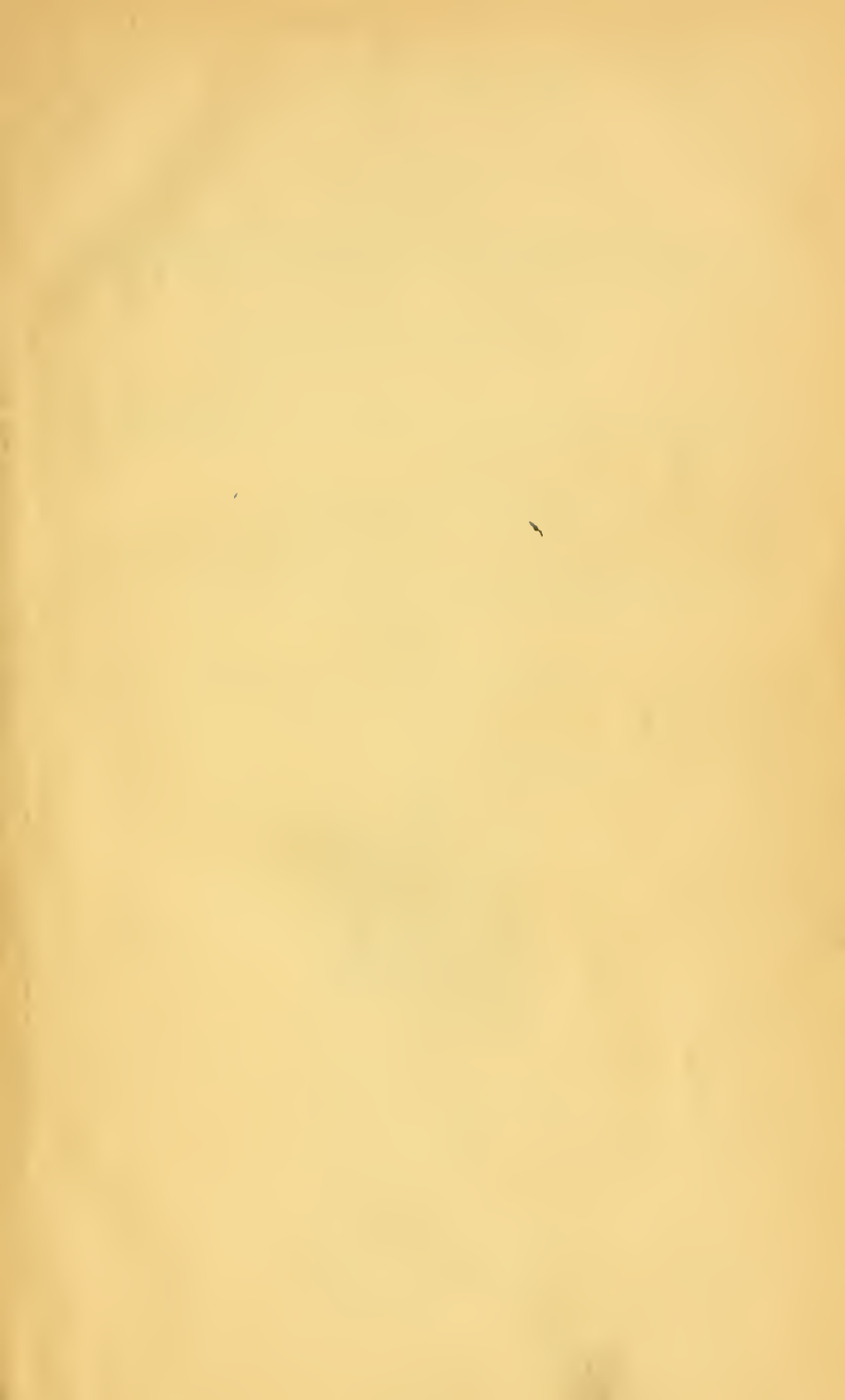






LAWS

OF THE

Commonwealth of Massachusetts,

PASSED AT THE SEVERAL

SESSIONS OF THE GENERAL COURT,

HOLDEN IN BOSTON,

BEGINNING 26th MAY, 1812, AND ENDING ON THE 2d MARCH, 1815.

Published agreeably to a Resolve, passed 16th January, 1812.



VOL. VI.

BOSTON:

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.....
1812-15.

LAW

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO PRESS





Commonwealth of Massachusetts,

In the House of Representatives, 15th. January, 1812.

RESOLVE,

Directing the manner in which the Laws and Resolves shall be printed in future.

Resolved, That the laws of the Commonwealth which shall hereafter be passed, at the several sessions of the General Court, shall be printed in volumes of the royal octavo size; each volume to contain not less than seven hundred pages, and to have suitable title pages and analytical indices, and that the laws passed from the beginning of the May session of one year to the beginning of the May session of the next succeeding year, shall be divided into chapters, and shall be printed together in the same volume; and until a volume of the laws shall from time to time be formed as aforesaid, temporary title pages and indices, shall be added to the laws which shall be printed from session to session of the General Court.

And be it further resolved, That the resolves which shall be hereafter passed by the General Court, shall be printed in volumes of the same size, in the same manner, and with suitable title pages, running titles and indices.

And be it further resolved, That it shall be the special duty of the Secretary of the Commonwealth, to superintend the publication and printing of the laws and resolves of the General Court, as the same shall be passed at the respective sessions thereof, and to examine and compare the printed copies of such laws and resolves with the originals, and to print, and annex to the printed copies his certificate of such examination, and of the errors, if any, in such printed copies, to the end, that the laws and resolves of the Commonwealth may be duly and accurately promulgated.

RESOLVE.

And be it further resolved, That this resolve shall be prefixed to the printed copies of the laws which may be passed at the present session of the General Court, and shall also be prefixed to the next volume of the laws of the Commonwealth, which shall be printed in pursuance of this resolve.

And be it further resolved, That the laws which shall be passed at the present session of the Legislature, shall constitute a part of the fifth volume of the laws, and shall be pagged, indexed, and divided into chapters accordingly.

Read and passed, and sent up for concurrence,
JOSEPH STORY, *Speaker*.

In Senate 15th. January, 1812.

Read and concurred,
SAMUEL DANA, *President*.

Approved 16th. January, 1812.

E. GERRY.

LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THEIR SESSION,

COMMENCING

ON THE LAST WEDNESDAY IN MAY,

ONE THOUSAND EIGHT HUNDRED AND TWELVE.

CHAP. I.

An Act in addition to the several acts for incorporating certain persons for the purpose of building a Bridge over Merrimack River, between the towns of Haverhill and Newbury, in the County of Essex, and for supporting the same.

WHEREAS the proprietors of Merrimack Bridge, have represented to the General Court, that the compensation they derive from the toll over said bridge is inadequate, and pray for an increase of said toll :

BE it enacted, by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the following rates of toll be, and hereby are established for the benefit of said proprietors, in addition to the rates of toll established by an act passed February twenty six, in the year of our Lord, seventeen hundred ninety six, entitled "An act in further addition to an act, entitled An act for incorporating certain persons for the purpose of building a bridge over Merrimack River, between the towns of Haverhill and Newbury, in the County of Essex, and for supporting the same, passed June fourteenth, seventeen hundred ninety four: for each foot passenger one cent; for each horse and rider one cent five Rates of toll.

mills; for each additional rider, one cent; for each cart or other carriage of burthen drawn by one beast, two cents five mills; for each cart, waggon, or other carriage of burthen, drawn by two beasts, seven cents five mills, for each additional beast, one cent; for each coach, chariot, phaeton or other four wheel carriage for passengers, seven cents; for each curricule or chaise, with two horses, three cents; for each chaise, chair or sulkey and horse, four cents five mills; for each horse or neat cattle, exclusive of those rode on, or in carriages, one cent; for each sheep or swine, five mills; for a wheelbarrow or handcart with one person, one cent; *Provided* nevertheless, that the increase of toll granted by this act, may from time to time, be regulated by the Legislature of this Commonwealth at their direction.

Proviso.

[Approved by the Governor, June 11, 1812.]

CHAP. II.

An Act to incorporate Joel Farnam and others, by the name of the Westfield Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Joel Farnam, Benjamin Hastings, and Thomas C. Green, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Westfield Manufacturing Company, for the purpose of manufacturing Wool and Cotton in the town of Westfield, in the County of Hampden; and for the purpose aforesaid, shall have all the powers and privileges, and shall also be subject to all the duties and requirements, prescribed and contained in an act entitled, "An Act defining the General powers of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Persons incorporated.

Value of estate.

SEC. 2. *Be it further enacted,* That the said Corporation, in their corporate capacity, shall, and may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate not exceeding one hundred

thousand dollars, as may be necessary and convenient for carrying on the manufactory of Wool and Cotton, in their various branches, either separately or mixed, in said town of Westfield.

[Approved by the Governor, June 11, 1812.]

CHAP. III.

An Act appointing the places where the Probate Courts for the County of Hampden shall be holden.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Court of Probate for the County of Hampden, shall be held in the following towns, namely; in Westfield six times in each year; in Springfield, three times in each year; in Blandford, twice in each year, and in Monson, twice in each year, at such times and places in said towns, as the Judge of Probate for said County, shall from time to time appoint.

[Approved by the Governor, June 12, 1812.]

CHAP. IV.

An Act to annex the township Numbered four, in the sixth range North of the Waldo Patent, to the County of Hancock.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered four, in the sixth range of Townships, north of the Waldo Patent, which lies partly in the County of Hancock, and partly in the County of Somerset, be, and hereby is declared to be wholly within the County of Hancock.

[Approved by the Governor, June 12, 1812.]

CHAP. V.

An Act to incorporate Samuel Waters and others by the name of the Village Cotton Wool and Linen Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Samuel Waters, Amasa Braman, Estes Howe, Titus V. Shephard, Eseck Brown, Isaac King, Nathaniel Bartlett, Silas Chase, George Viner, John Stockwell, Jun. Stephen Bartlett, Nathan Bancroft, Luther Whitmore, Samuel Walker, Daniel Putnam, Absalom Leonard, Francis Sibley, Aaron Hammond, Joshua Waters, and Thomas Kindall, Jun. together with such others as may hereafter join or associate with them, their successors, and assigns, be, and they hereby are made a Corporation, by the name of The Village Cotton, Wool, and Linen Manufacturing Company, for the purpose of manufacturing Cotton, Wool and Flax, in the town of Dudley, in the County of Worcester, and shall have all the powers and privileges, and shall be subject to all the duties and requirements prescribed in an act, entitled, "An act defining the General powers of manufacturing Corporations," passed the third day of March, Eighteen hundred and nine

SEC. 2. *Be it further enacted,* That said Corporation, in their Corporate capacity, shall and may lawfully hold and possess such real estate, not exceeding fifty thousand Dollars, and personal estate, not exceeding One hundred thousand Dollars, as may be necessary and convenient for carrying on said manufacture in their various branches as aforesaid.

[Approved by the Governor June 12, 1812.]

Persons in-
corporated.

May hold
estate.

CHAP. VI.

An act to incorporate Nathan Comstock and others, by the name of the Wrentham Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Nathan Comstock, Nathaniel Ware, Silas Metcalf, Asa Messer, Calvin Park, George Hawes, David Fisher, Jun. and Elijah Cobb, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Wrentham Manufacturing Company, for the purpose of manufacturing Cotton and Wool at Wrentham, in the County of Norfolk, and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled, "An act defining the General powers and duties of manufacturing Corporations."

Persons Incorporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of Cotton and Wool at Wrentham aforesaid.

May hold estate.

[Approved by the Governor June 15, 1812.]

CHAP. VII.

An act to incorporate certain persons by the name of the Adams Glass Factory.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the*

Persons in-
corporated. *authority of the same,* That Daniel Shearman, James Ma-
son, Ambrose Kasson, John Bucklin, Jesse Whipple, Jo-
siah Q. Robinson, Isaac Brown, Arthur F. Field, and
Thomas Farnum, with such other persons as already have,
or hereafter may associate with them, their successors, and
assigns, be, and hereby are made a corporation by the name
of The Adams Glass Factory, for the purpose of manufac-
turing Glass, in the town of Adams, and for that purpose
shall have all the powers and privileges, and be subject to
all the duties and requirements contained in an act, passed
the third day of March, in the year of our Lord, one thou-
sand eight hundred and nine, entitled, "An act defining the
General powers and duties of manufacturing corporations.

May hold es-
tate. SEC. 2. *Be it further enacted,* That said corporation
may be lawfully seized and possessed of such real estate,
not exceeding thirty thousand dollars, and such personal
estate, not exceeding seventy thousand dollars in value, as
may be necessary and convenient for carrying on the man-
ufacture of Glass, in said town of Adams.

[Approved by the Governor June 15, 1812.]

CHAP. VIII.

An act to empower the Selectmen of the towns of Newton
and Needham to appoint Engine men.

When to be
appointed. SEC. 1. *BE it enacted by the Senate and House of
Representatives in General Court assembled, and by the
authority of the same,* That the Selectmen of the towns of
Newton and Needham be, and they hereby are respectively
authorized and empowered to nominate and appoint, as
soon as may be after the passing of this act, and ever after
in the month of March annually, so long as there shall be
a good Engine, at or near the lower falls, so called, on Charles
Number of
persons. River, any number of suitable persons not exceeding ten
in each of said towns, to be one company of Engine men,
to take charge of and manage said Engine; who shall be
subject to the same duties, and vested with the same powers,
and entitled to the same rights, privileges and exemptions,
that all other Engine men now by Law are.

SEC. 2. *Be it further enacted*, That all rules and regulations respecting their duty as Engine Men shall before they be established, be approved of by the Selectmen of said towns; and all penalties annexed to the same, may be recovered by the Clerk of said Engine men, before any Justice of the Peace in the County, where the person who may forfeit the same shall reside. *Provided however* that nothing herein contained shall be construed into an authority to appoint, by the Selectmen aforesaid, any man to the engine Company aforesaid who shall reside more than half a mile from the established house of said Engine, nor to reduce the number of men in any Military company to a less number than sixty-four, rank and file.

Penalties
how recover-
ed.

Proviso.

[Approved by the Governor June 18th, 1812.]

CHAP. IX.

An act in addition to an act, entitled, "An act to secure the town of Newbury Port, from damage by fire.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, no building of any kind whatsoever, which shall be more than thirteen feet from the ground to the highest point in the roof thereof, shall be placed, erected, or built within that part of the town of Newbury Port, in the county of Essex, which lies on and between the northwesterly side of Market Street, so called, and the southeasterly side of Federal Street, so called, and on and between the northeasterly side of High Street, so called, and Merrimack River, unless all the external sides and ends thereof shall be built or composed of brick or stone, except so much as may be necessary for doors and windows, and all additions which shall be made to buildings already erected, and all buildings which shall be erected on old foundations, in part or in whole, shall be deemed and considered within the restrictions and regulations of this act. *Provided*, that upon any wharf, marsh, or other place where no sufficient foundation can be obtained without unreasonable expense, on

Height of
buildings.

Buildings of
brick or
stone.

Proviso.

permission of the selectmen, or fire wards of said town, or the major part of them, in writing, wooden buildings of not more than two stories high may be erected; and the permission so given shall, within ten days next after the same may be so given, be recorded in the records of said town.

Wooden buildings may be erected.

Height of buildings.

SEC. 2. *Be it further enacted*, that in no other part of the said town of Newbury Port, shall any building be placed, erected or built, which shall be more than twenty five feet high, from the ground to the highest point in the roof thereof, unless all the external sides and ends thereof shall be built or composed of brick or stone, except so much as may be necessary for doors and windows, and all additions to any buildings and all buildings which may be erected on old foundations, in whole or in part, shall be deemed and considered within the restrictions and limitations of this act.

SEC. 3. *Be it further enacted*, That the first section of the act, entitled "An act to secure the town of Newbury Port from damage by fire," be and the same is hereby repealed.

[Approved by the Governor June 18, 1812.]

CHAP. X.

An act in addition to an act entitled, "An act appropriating certain fines for the repairing of Highways and Bridges."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That all fines which have heretofore been imposed by the Supreme Judicial, or by the Circuit Court of Common Pleas, within this Commonwealth, on any town for any neglect in making or repairing any highways or bridges, within the same, and which have not been collected and paid into the Treasury of the County within which said town is situated, shall be appropriated and disposed of for the making and repairing of the highways and bridges, so defective as aforesaid, in the same way and manner as the fines imposed after the passing of the act, entitled, "An act

Fines how appropriated.

appropriating certain fines for the repairing of highways and bridges," passed the twentieth day of February, Eighteen hundred and twelve," were to be appropriated, any law to the contrary notwithstanding.

[Approved by the Governor June 22, 1812.]

CHAP. XI.

An act incorporating the proprietors of the first Congregational Meeting House, in Buckstown, in the County of Hancock.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Caleb B. Hall, Samuel M. Pond, Daniel Spafford, Samuel Bartlett, Eliphalet Parker, Joseph Lee, and others who have associated, or who may hereafter associate with them, for the purpose of building a Meeting-house, their successors and assigns be, and they hereby are made a Corporation and body politic, by the name of the Proprietors of the first Congregational Meeting House in Buckstown, and by that name may sue and be sued, and may have a common seal, and also may ordain and establish such bye laws and regulations as to them shall seem necessary and convenient for the government of said corporation, provided such bye laws and regulations, shall not be repugnant to the constitution and laws of this Commonwealth, and may hold the land on which they have erected a Meeting House, and may purchase and hold real and personal estate, the annual income of which shall not exceed one thousand dollars; and the shares of the said Corporation shall not be less than fifty, nor more than one hundred in number.

Persons incorporated.

May make bye laws.

May hold estate.

SEC. 2. *Be it further enacted,* That a meeting of said Corporation, shall be holden annually on the first Tuesday of April, after the present year, at which the said Proprietors shall by ballot, elect five Trustees, one of which shall be President; and any three of whom shall constitute a quorum for transacting business; a Treasurer, who shall also be Collector, and a Clerk; who shall respectively be

Annual meeting.

Trustees chosen.

President.

Treasurer.

Clerk.

Vote by
proxy.

sworn to the faithful discharge of the duties of their offices—and at all meetings of said Corporation, each proprietor, or his agent duly authorized in writing, shall have a right to vote, and be entitled to as many votes as he holds shares : *provided* no person shall be entitled to more than five votes : And Caleb B. Hall, Esq. is hereby authorized to issue his warrant to some one of the said Proprietors, for the purpose of calling their first meeting, for the organization of said Corporation, at which meeting, the said proprietors shall agree on the method of calling future meetings.

Sale of shares
for payment
of taxes.

Transfer of
shares of de-
linquents.

SEC. 3. *Be it further enacted*, That whenever any proprietor shall neglect, or refuse to pay any tax or assessment duly voted and agreed upon by said Corporation, for the purposes thereof, to the Treasurer, within sixty days after the same shall be made payable, the said Treasurer, being thereto directed by the said Trustees, may sell at public vendue, the share or shares of such delinquent proprietor, to defray said tax and necessary charges, after posting notice of the time, place, and cause of such sale, at two or more public places in said town, at least thirty days previous to such sale ; and a certificate of the same, under the hand of the president and clerk of said corporation, shall transfer all the right, title, and interest of such delinquent, in the share or shares thus sold, to the purchaser ; and if the said share or shares thus sold, shall sell for more than the taxes or assessments thereon due and charges, the overplus shall be paid over to such delinquent by the Treasurer, on demand, or the said Treasurer may, by direction of the said Trustees, and in the name of the said Corporation sue and prosecute to final judgment and execution, any such delinquent proprietor, for any tax or assessment, due on any share or shares of such delinquent proprietor.

[Approved by the Governor June 18, 1812.]

CHAP. XII.

An act in addition to an act, entitled, "An act to incorporate a number of persons for the purpose of building a Bridge over Connecticut river, between Prindle's Ferry, and Mill Brook, in the town of Northfield, in the county of Hampshire."

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the proprietors of the Northfield Bridge, shall be authorized hereafter to demand and receive Rates of toll- for each four wheel pleasure carriage, drawn by two horses, twenty five cents, and four cents for each additional horse; for each wheel carriage drawn by one horse, twelve and an half cents, and four cents for each additional horse; for each waggon or cart, drawn by two beasts, seventeen cents, and for each additional beast four cents; for each sleigh or sled drawn by two beasts, twelve and an half cents, and each additional beast four cents; for each sleigh or sled drawn by one beast, ten cents; for horses, neat cattle, and mules in droves, two cents each; and for sheep and swine, half a cent each: And all the other rates of toll for passing said Bridge, shall remain and continue as provided in the said act to which this is an addition.

SEC. 2. *Be it further enacted,* That the said proprietors may purchase and hold any real estate which they may deem necessary and convenient for the accommodation of their toll gatherer, with a house, out houses and garden; and may convey the same at pleasure. May hold real estate.

[Approved by the Governor June 18, 1812.]

CHAP. XIII.

An act to regulate the fishery in the Rivers Tunk and Naraguagus, in the County of Washington.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the author-*

ity of the same, That the fishery for all kinds of fish, found in the rivers or streams called Tunk, and Narraguagus, in the county of Washington, shall be, and forever hereafter continue free and open from their highest sources to the sea, for the passage of all sorts of fish, in passing up said streams to cast their spawn, and the benefit and privilege of taking said fish shall be equally and freely enjoyed by all the inhabitants living on and near the said rivers, at the times and seasons, and within and according to the rules and provisions of this act, viz. From the tenth day of May, to the first day of August; and the days for fishing shall be on Monday, Tuesday, Wednesday and Thursday, in each week. And if any person or persons, shall take any fish in either of the said rivers, Tunk or Narraguagus, from the first day of August, to the tenth day of May, or on any other days in the week than are provided in this act, each and every person so offending, shall for each time such offence is committed, forfeit and pay a sum not exceeding ten dollars, and not less than five dollars, and one half of said fine shall be for the use of the County, and the other half to the complainant or informer.

Days for fish-
ing.

Penalty for
taking fish
contrary to
law.

Penalty for
placing ob-
structions.

SEC. 2. *Be it further enacted*, That all mill owners, shall be holden and required to provide, and keep open, sufficient passage, or sluice-ways, for the fish to pass up; and if any mill owner, or any other person, after the passing of this act, do make, or cause to be made or placed in either of the said rivers, Tunk or Narraguagus, any mill-dam, wear, or other incumbrance or obstruction, to the passage of the said fish, or in or across, or upon any bay, cove, pond, or other water, running into, or connected with the rivers aforesaid, such mill owner or other person shall forfeit and pay a sum not exceeding two hundred dollars, nor less than twenty dollars.

Forfeits,
where cogni-
zable.

SEC. 3. *Be it further enacted*, That all forfeitures accruing on any alleged breach of this act, in which the penalty demanded shall not exceed the sum of twenty dollars, shall be cognizable before a Justice of the Peace for the County of Washington, and all such penalties incurred, shall be adjudged and recovered before such Justice, subject to appeal; and all forfeitures accruing by any alleged breach of this act, in which the penalty exceeds the sum of twenty dollars, shall originally be cognizable before the Circuit

Court of Common Pleas, within and for the County of Washington.

SEC. 4. *Be it further enacted*, That an act passed the first day of March, A.D. seventeen hundred and ninety eight, entitled, "An act for the preservation of the fish called Salmon, Shad, and Alewives in the rivers, streams, and waters within the counties of Lincoln and Cumberland, and for repealing all other laws heretofore made for that purpose, so far as respects their operation in the said counties" be, and the said act is hereby extended to the Rivers called Tunk and Narraguagus, in the county of Washington, and all the provisions of the aforesaid act, so far as they may apply to those rivers, shall be as valid and binding, and the benefits thereof exercised and enjoyed, as fully and completely, as if the said rivers Tunk and Narraguagus, had been originally included in the said act.

Former act
extended to
this stream.

[Approved by the Governor June 18, 1812.]

CHAP. XIV.

An act to regulate the Fishery in Dyer's River, and Nickels stream, in the town of New Castle, in the County of Lincoln.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That for the due and permanent regulation of the fishery, in the town of New Castle, it shall be lawful, and the inhabitants of the said town, are hereby required annually, at a legal meeting of the freeholders thereof, qualified to vote in town affairs, to appoint a Committee of the freeholders of the said town, not exceeding seven, nor less than three, who shall be sworn, or affirmed to the faithful discharge of the duties enjoined upon them by this act; and it shall be the duty of the said Committee, to cause the natural course of the rivers or streams, through which the said fish do pass, to be kept open and free from all obstruction, during the whole season the said fish pass up and down said rivers or streams in each year; and the said Committee shall have power to remove all such obstructions as they may find therein, and the said Committee or

Shall choose
a committee.

Their duty.

Their power.

Trespass.

Fine for trespassing.

Proviso.

a majority of them, in the discharge of their duties, shall have power at all times to go upon and pass over the lands of any person, through or by which, said rivers or streams run, without being considered as trespassers; and any person who may hinder or molest the said Committee, or either of them in executing the duties of his or their office, or who shall obstruct any passage way in either of the said rivers or streams, contrary to the consent and directions of the said Committee, or a majority of them, he, or they so offending shall, for every such offence, forfeit and pay a sum not exceeding twenty dollars, nor less than one dollar, in the discretion of the Justice, before whom the action may be tried: *Provided nevertheless*, that nothing in this act shall be considered as giving the said Committee any power to injure the proprietor of any lands, mills, or water works, further than is necessary for a good and sufficient passage way for the said fish to pass up and down the rivers or streams aforesaid.

May sell privileges.

Profits, appropriated.

Privilege for poor.

SEC. 2. *Be it further enacted*, That it shall be lawful for the said town of New Castle annually, at any meeting of the inhabitants duly warned, to sell or otherwise dispose of the privilege of taking fish in either of the said streams, called Dyers River, and Nickels Stream (formerly called Canesisex River) both being in said town of New Castle, not exceeding three days in each week, under such restrictions and regulations, as the said town shall direct; and the profits, which may from year to year accrue from the sale of the said privilege shall be appropriated by the said town, to such uses and purposes, as the inhabitants thereof in legal town meeting, may from time to time, order and direct. And the said fish committee shall appropriate such proportions of the fish caught within the limits of the said town, as shall be annually allotted and determined by the selectmen, for the use of the poor of the said town gratis, and this reservation and privilege of the poor, shall be inviolably preserved to them, when the said selectmen do annually lease the fishery for the season, and shall always be a condition in the said lease.

Fish shall not be taken,

SEC. 3. *Be it further enacted*, That if the purchaser, lessee, or manager of the said privilege, or those employed by them, shall presume to take away any fish, at any other time or place in the said town, than may be appointed by

a vote of the town, and the requirements of the Selectmen in execution thereof; and if any other person do presume to take any fish, in either of the said streams, called Dyers River, or Nickels (or otherwise Canesissex) Stream, within the limits of said town, without permission from the Selectmen thereof, every such person so offending, shall for each and every offence herein, forfeit and pay a sum not exceeding twenty dollars, nor less than one dollar, at the discretion of the Justice before whom the cause shall be tried. And it shall be the duty of the fish committee appointed by said town, to sue and prosecute all breaches of this act, and for any one of the said committee to seize and detain in their custody, any net, or any other instrument used in taking fish, which may be found in the hands or possession of any person using the same, contrary to the true intent and meaning of this act, until the person so offending doth make satisfaction for his offence, or is legally acquitted thereof; and also to seize, for the use of the poor of the said town, all such fish as may have been thus illegally taken, contrary to this act.

Without permission.

Forfeit.

Committee shall sue and prosecute offenders.

SEC. 4. *Be it further enacted*, That all the penalties which may be incurred, by any breach of this act, shall be recoverable, by action on the case, or by an action of debt, before any Justice of the Peace, for the County of Lincoln, allowing an appeal to the next court, having jurisdiction thereof, to be holden within said County; and all sums of money recovered for any offence against this act, shall be for the use of the town; and no person by reason of his being one of the Selectmen, or one of the said fish committee, or an inhabitant of the said town of New Castle, shall be disqualified from being a witness in any suit or prosecution for any breach of this act.

Penalties, how recovered.

How appropriated.

Committee or selectman may be a witness.

SEC. 5. *Be it further enacted*, That an act passed the first day of March, A. D. seventeen hundred and ninety eight, entitled "An act for the preservation of the fish called Salmon, Shad, and Alewives, in the rivers, streams, and waters, within the Counties of Lincoln and Cumberland, and for repealing all other laws heretofore made for that purpose, so far as respects their operation in the said Counties," be, and the said act is hereby extended to operate and have effect in the streams called Dyers River, and Nickels stream, in the town of New Castle; and all the regulations,

Former act extended to this stream.

restrictions and provisions in the said act, so far as they are applicable to the uses and intent of this act, shall be used and exercised, and the benefits thereof enjoyed by the said town of New Castle, and this act shall be deemed, and taken to be supplementary to the said act above mentioned.

[Approved by the Governor June 18, 1812.]

CHAP. XV.

An act to incorporate the Village Aqueduct, in the town of Falmouth.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That John Gordon of Falmouth, in the County of Cumberland, with such other person or persons, as have, or may hereafter associate with him, be, and they hereby are incorporated by the name of The Village Aqueduct in Falmouth.

Person incorporated.

SEC. 2. *Be it further enacted,* That said Corporation be, and hereby is vested with all the rights, powers and privileges, and subject to all the obligations and duties which proprietors of Aqueducts are vested with, and subject to, by virtue of an act, entitled, "An act enabling proprietors of Aqueducts to manage the same, passed the twenty first day of February, One thousand seven hundred and ninety nine."

Rights and privileges.

Empowered to go on with the work.

SEC. 3. *Be it further enacted,* That said Corporation be, and they hereby are authorized and empowered to enter upon and dig up, so far as shall be necessary for the purpose of constructing, sinking, finishing and repairing the said aqueduct, the ground of any individual or individuals, through which the same may pass, from Oak Hill spring, to Stroudwater Village, paying him or them a reasonable compensation for any damage sustained, or to be sustained thereby.

How damages to individuals may be ascertained.

SEC. 4. *Be it further enacted,* That if the parties cannot agree in estimating the damages so sustained, or to be sustained, that the Circuit Court of Common Pleas, for the County of Cumberland, on application of either party, be, and they hereby are authorized and empowered, to determine

the same, by a committee of three disinterested freeholders, or by a Jury, to be summoned by the Sheriff or his Deputy for that purpose, which committee, or jury shall under oath appraise and estimate the damage, if any, to the party aggrieved, and their report or verdict, being made under their hands to said Court, and by said Court accepted, and entered of Record, shall forever conclude the person or persons complaining, with respect to damages, and the right of said corporation, to make, or repair said aqueduct.

[Approved by the Governor, June 18, 1812.]

CHAP. XVI.

An act to incorporate sundry persons, by the name of The first Universalist Society in Scituate.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Enoch Collamore, Loring Jacobs, Ichabod R. Jacobs, John Jones, Jr. Calvin Wilder, James H. Jacobs, Charles Totman, Charles Jones, Isaac N. Damon, Joshua Bowker, James Jacobs, Abel Silvester, Charles Simmons, William Hyland, David Turner, Samuel Randell, Jr. Samuel Randell, Joshua Damon, Ebenezer Totman, Jonathan Turner, Enoch Collamore, Jr. Benj. Bowker, John Gross, Josiah Witherell, Saml. Simmons, John Jones, Peleg Simmons, Jr. Seth Stoddard, George Litchfield, Elisha Gross, Reuben Sutton, Theophilus Cothierell, Edward F. Jacobs, Elisha Barrell, Elisha Barrell, Jr. Stephen Jacobs, Edward Curtis, with their families and estates, together with such others as may hereafter associate with them, and their successors, in the manner provided by this act, be and they are hereby incorporated as a Religious Society, by the name of The First Universalist Society in Scituate, with all the powers and privileges, exercised and enjoyed by other religious Societies, according to the Constitution and Laws of this Commonwealth.

Persons incorporated.

Rights and privileges.

SEC. 2. *Be it further enacted,* That any person living in the towns of Scituate and Hanover, who may at any time hereafter be desirous of joining the said first Universalist Society in Scituate, and shall certify the same to the clerk of

May become members.

the town where he or she may reside, which certificate shall be recorded by such Clerk, shall thereafter, with his or her polls and estate, become a member of said First Universalist Society in Scituate : *Provided however*, That such person shall be held to pay to the Parish or Religious Society, which he or she shall leave as aforesaid, his or her proportion of all monies granted by such Parish or Society, before the filing of such certificate with the town Clerk as aforesaid.

Proviso.

May leave
the society.

SEC. 3. *Be it further enacted*, That any member of the said First Universalist Society in Scituate, who may at any time hereafter, be desirous of leaving said society, and shall certify the same to the Clerk of the town where he or she may reside, which certificate shall be recorded by such Clerk, shall thereafter, with his or her polls and estate, become a member of such parish or religious society, as by law he or she would belong to in case such person had never become a member of said First Universalist Society in Scituate. *Provided however*, that such person shall be held to pay to said first Universalist Society in Scituate, his or her proportion of all monies granted by said society, before the filing of such certificate with the town Clerk as aforesaid.

Proviso.

Justice may
issue war-
rants.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the County of Plymouth be, and he hereby is authorized to issue his warrant directed to some member of said society, requiring him to notify and warn the members thereof, to meet at such time and place as shall be appointed in said warrant, to choose such officers, and to transact all such business, as religious societies have a right to choose and transact, at their annual meetings.

[Approved by the Governor June 18, 1812.]

CHAP. XVII.

An act to incorporate the proprietors of the Unity Mill Sluice-ways.

Persons in-
corporated.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Stephen Jones, Peter Talbot, John Foster, Moses Foster, George Sevey, George Sevey,

Jr. John Sevey, Jr. Jesse Scott, Levi Scott, John Cooper, Elisha D. Chaloner, John D. Folsom, and Stephen Munson, together with such others, owners of the double saw mill called Unity, and the owners of the saw mills upon the waters of Machias East River, and above the said mill called Unity, according to their respective shares or proportions in the said mills, together with such as may hereafter associate with them and their successors shall be, and hereby are made a corporation by the name of "The Proprietors of the Unity mill Sluice-ways" and by that name may sue and be sued, and prosecute and defend to final judgment and execution, and shall have all other powers and privileges incident and usually given to corporations for making mill dams and sluice-ways.

Rights and
privileges.

SEC. 2. *Be it further enacted*, That for the purpose of reimbursing to the proprietors, the money to be expended in making said sluice-way, and keeping the same in repair a toll shall be, and hereby is granted, for the benefit of the said Proprietors, their successors and assigns, according to the rates following, viz. For every thousand feet of boards, or plank, board measure, or joist, *ten cents*; for every thousand of shingles, *four cents*; for every thousand of clap-boards, *ten cents*; for every ton of timber, *ten cents*; for every hundred feet of ranging timber *ten cents*; for every thousand of staves, *twelve cents*; for all oar rafters, *ten cents* for each thousand feet; and in that proportion, for a greater or less number of any of the said articles. And the Legislature shall have a right to alter and regulate the toll aforesaid, after the term of ten years, from the first day of July next; and if the said corporation shall neglect, or refuse, for the space of two years from the first day of July next, to make and complete the said sluice-way, then this act shall be void and of no effect. And shares in the said sluice-way shall be taken and considered to be personal estate, to all intents and purposes.

Toll estab-
lished.

Rates of
toll.

Forfeit for
neglect.

SEC. 3. *Be it further enacted*, That if it shall be necessary for the said proprietors, to carry the said sluice-way over the lands of any person or persons who may be unwilling to sell his or their right therein, by an agreement with the said proprietors, the said corporation shall be, and they are hereby authorized to take and hold as much of the said land as may be necessary for the purpose of building

May use in-
dividual pro-
perty.

Damages
ascertained.

May order
fines and pen-
alties.

Justice may
issue war-
rants.

the said sluice-way, making allowance therefor, to the owners of such land, according to the mode prescribed in the third section of the act incorporating the proprietors of the Middlesex Canal, wherein provision is made for the estimation and recovery of damages happening in similar cases. And the said proprietors at the same or any subsequent meeting may enjoin and order fines and penalties for the breach of any by-laws of said corporation, not exceeding twelve dollars.

SEC. 4. *Be it further enacted*, That any Justice of the Peace, for the County of Washington, is hereby authorized upon application therefor, to issue a warrant directed to one of the Proprietors before named, requiring him to notify and warn a meeting of the said corporation, at such convenient time and place, as shall be expressed in said warrant to organize the corporation, by the election and appointment of its officers.

[Approved by the Governor June 18, 1812.]

CHAP. XVIII.

An act, in addition to an act authorizing a Lottery for completing the repairs of Plymouth Beach.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the managers to be appointed by the act authorizing a lottery for completing the repairs of Plymouth Beach, be, and they hereby are authorized to deduct the charges of stationary, printing and other necessary expenses of drawing each class of said lottery, managers services and expenses excepted, from the sum raised by each class; and that the remainder be considered the *whole proceeds* mentioned in said act, any thing in the act, to which this is in addition, to the contrary notwithstanding.

[Approved by the Governor June 18, 1812.]

CHAP. XIX.

An act to incorporate James Perkins and others by the name of The Hampshire Lead Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That James Perkins, Thomas H. Perkins, David Hinkley, Samuel G. Perkins, Josiah Marshall, and Isaac P. Davis, with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Hampshire Lead Manufacturing Company, for the purpose of exploring, digging, working and manufacturing any ore, minerals, metals or fossils in the towns of Easthampton, Westhampton, Northampton, and Southampton, in the county of Hampshire; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled, "An act defining the general powers and duties of manufacturing Corporations, passed March third, eighteen hundred and nine." Persons incorporated.

SEC. 2. *Be it further enacted,* That the said company may be lawfully seized and possessed of such real estate, easements and hereditaments within the said towns, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of eighty thousand dollars, as may be necessary or convenient to enable them to prosecute the business of digging, exploring, working and manufacturing any ore, minerals, metals or fossils found in said towns, or either of them. May hold estate.

[Approved by the Governor June 19, 1812.]

CHAP. XX.

An act to incorporate the Trustees of the Ministerial Fund, in the second parish in Marlborough.

SEC. 1. *BE it enacted by the Senate, and House of Representatives, in General Court assembled, and by the au-*
D

thority of the same, That the deacons of the church in the second parish in Marlborough, and the clerk, assessors and treasurer of the said parish, for the time being, be, and they are hereby constituted a body politic and corporate, by the name of the Trustees of the Ministerial Fund, in the second parish in Marlborough, and by that name, they and their successors in office, shall be and continue a body politic and corporate forever, and they may have a common seal, which they may alter or change at pleasure, and by that name they may sue and be sued, in all actions, real, personal or mixed, and prosecute and defend the same to final judgment and execution.

Trustees in-
corporated.

Choice of of-
ficers.

SEC. 2. *Be it further enacted,* That the said corporation shall and may annually elect a President, and a Clerk, to record the doings and transactions of the Trustees at their meetings; and a Treasurer, to receive and apply the monies herein after mentioned, as herein after directed, and any other needful officers, for the better managing of their business.

Annual meet-
ing.

SEC. 3. *Be it further enacted,* That said Trustees shall annually hold a meeting, in the month of March or April, and as much oftener as may be necessary to transact their business, which meetings, after the first, shall be called in such manner, as the Trustees may direct; and a majority of said Trustees, shall constitute a quorum for transacting business.

Clerk sworn.

SEC. 4. *Be it further enacted,* That the Clerk of said Corporation shall be a member thereof, and shall be sworn in the same manner as town officers, to the faithful performance of the duties of his office; and he shall have the care and custody of all papers and documents belonging to said Trustees, except what belong to the Treasurer's office; and he shall carefully and fairly record all their votes and proceeding, in a book, to be kept for that purpose, and shall certify the same when thereto required; and he shall call meetings when thereto directed by any one or more of said Trustees, and do whatever else may be incident to his said office, and he shall deliver up to his successor in office, as soon as may be, all the records, papers and documents in his hands, in good order and condition, and if he shall neglect so to do, for the space of thirty days next after such successor shall be duly appointed, he shall forfeit and pay

His duty.

Shall call
meetings.

Forfeit for
neglect.

to said corporation, a fine of fifty dollars, and the further sum of thirty dollars per month, for such neglect afterwards.

SEC. 5. *Be it further enacted,* That the Treasurer of said Trustees shall be the receiver of all monies and effects due, owing and coming to them, and may demand, sue for, and recover the same in their name, unless prohibited by them, and he shall have the care and custody of all the money and effects, obligations and securities for the payment of money, and other things, and all evidences of property belonging to said Trustees, and be accountable to them therefor, and shall dispose of the same, as they shall order and direct; and shall render an account of his doings, together with a fair and regular statement of the property, and evidences of property in his hands, whenever they shall require the same to be done, and shall deliver up to his successor in office, as soon as may be, all the books and papers, property and evidences of property, in his hands, in good order and condition, and shall give bond to the said Trustees, and their successors, with sufficient sureties, and in such sum as the said Trustees may direct, conditioned to do and perform all the duties incumbent on him as their Treasurer; and if he shall fail to deliver up the same as aforesaid, for the space of thirty days next after such successor shall be duly appointed, he shall forfeit and pay to said Corporation, a fine of fifty dollars, and a further sum of thirty dollars per month for such neglect afterwards.

Treasurer's duty.

Shall give bonds.

Forfeit for neglect.

SEC. 6. *Be it further enacted,* That the said Trustees and their successors in office be, and they are hereby vested with full power to receive into their hands, all monies, or security for money already received, and that now is, or hereafter may be in the hands of the Treasurer of said second Parish in Marlborough, being a surplus of money obtained by the sale of the pews in the Meeting-house belonging to said parish, over and above the cost of said house; and all other monies, subscriptions, donations and security for real or personal estate, that have been, or may hereafter be given, raised or subscribed, and appropriate the same, according to the intention and direction of the donor, or donors, within the provision of this act: *Provided however,* That said Trustees shall not at any time be in possession of a capital, the annual income of which shall exceed the sum of two thousand dollars.

Duty of trustees.

Proviso.

SEC 7. *Be it further enacted*, That it shall be the duty of said Trustees, to use and improve such fund, or estate, as shall be vested in them by this act, with care and vigilance, so as best to promote the design thereof; and shall always loan upon interest all the money belonging to said fund, in such sums; and for such term of time, not exceeding one year, as they shall think proper, upon the bond or note of the borrower, with at least one surety with the borrower, for the payment thereof; and they shall not at any time loan any sum exceeding the amount of one hundred dollars, without a mortgage on real estate, to three times the amount loaned, as collateral security for the payment of the same, with interest annually; and it shall be their duty annually to apply the interest arising from said fund, towards the salary of the Congregational Minister of said Parish, and it shall be considered as payment thereof, so far as it goes; and in case the whole of the annual income should be more than sufficient to pay the salary of said minister, for the time being, agreeably to the contract with him, then the surplus shall be added to the principal, unless said Parish, at a legal meeting called for that purpose, shall otherwise appropriate the same, which they are authorized to do; but never to alienate, or in any wise alter the fund aforesaid.

SEC 8. *Be it further enacted*, That the Trustees may alienate by good and sufficient deeds in law, any real estate, the title whereof shall be vested in them by way of mortgage, or by operation of law.

SEC 9. *Be it further enacted*, That the Trustees or their officers, for the service they may perform, shall be entitled to no compensation out of any monies arising from the fund aforesaid; but if entitled to any, shall have and receive the same of said Parish, and as may be mutually agreed on.

SEC 10. *Be it further enacted*, That said Trustees, and their successors, shall each year in the month of March, or April, at the annual meeting of said Parish, or oftener, if said Parish shall require it, exhibit a fair statement of their proceedings, and of the state of the funds under their management, and are hereby severally made amenable and liable in law to answer to said Parish, out of their own estates, for any embezzlement, neglect, or wilful mismanagement of said fund.

May loan monies,

with security.

Amount of sums to be loaned.
Security.

Shall apply the interest.

Surplus income, how appropriated.

Trustees may alienate real estate.

Compensation for services.

Shall exhibit a statement annually.

SEC. 11. *Be it further enacted*, That any Justice of the Peace for the County of Middlesex, is hereby authorized, upon application therefor, to issue his warrant, directed to one of the Trustees named in this act, requiring him to notify and call a meeting of the said Trustees, to be holden at such convenient time and place, as may be appointed in said warrant, to organize the said corporation, by the appointment of its officers.

Justice may
issue his war-
rant.

[Approved by the Governor June 19, 1812.]

CHAP. XXI.

An act to incorporate the American Board of Commissioners for foreign Missions.

WHEREAS William Bartlett, and others, have been associated under the name of the American Board of Commissioners for Foreign Missions, for the purpose of propagating the gospel in heathen lands, by supporting Missionaries, and diffusing a knowledge of the holy scriptures, and have prayed to be incorporated in order more effectually to promote the laudable object of their association.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William Bartlett, Esq. and Samuel Spring, D.D. both of Newburyport, Joseph Lyman, D.D. of Hatfield, Jedediah Morse, D.D. of Charlestown, Samuel Worcester, D.D. of Salem, the Hon. William Phillips, Esq. of Boston, and the Hon. John Hooker, Esq. of Springfield, and their associates, be, and they hereby are incorporated and made a body politic, by the name of The American Board of Commissioners for Foreign Missions, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend to final judgment and execution; and in their said corporate capacity they, and their successors forever, may take, receive, have and hold in fee simple, or otherwise, lands, tenements, and hereditaments, by gift, grant, device, or otherwise, not exceeding the yearly value of four thousand dollars, and may also take and hold by donation, bequest or otherwise, per-

Persons in-
corporated.

Power.

May hold es-
tate.

How appropriated.

Proviso.

sonal estate to an amount, the yearly income of which shall not exceed eight thousand dollars, so that the estate aforesaid shall be faithfully appropriated, for the purpose and object aforesaid, and not otherwise. And the said Corporation shall have power to sell, convey, exchange or lease, all or any part of their lands, tenements, or other property, for the benefit of their funds; and may have a common seal, which they may alter or renew at pleasure. *Provided however*, that nothing herein contained shall enable the said Corporation, or any person or persons, as Trustees for, or for the use of said Corporation, to receive and hold any gift, grant, legacy, or bequest heretofore given, or bequeathed, to any person or persons in trust for said board, unless such person or persons could by law have taken and holden the same, if this act had not passed.

Choice of officers.

SEC. 2. *Be it further enacted*, That the said board may annually choose, from among themselves, by ballot, a President, a Vice President, and a prudential Committee; and also from among themselves or others, a Corresponding secretary, a Recording Secretary, a Treasurer, an Auditor, and such other officers as they may deem expedient; all of whom shall hold their offices until others are chosen to succeed them, and shall have such powers, and perform such duties, as the said board may order and direct; and in case of vacancy by death, resignation, or otherwise, the vacancy may in like manner be filled, at any legal meeting of the said board. And the said Treasurer shall give bond, with sufficient surety or sureties, in the judgment of the board, or the Prudential Committee, for the faithful discharge of the duties of his office.

Vacancies filled.
Treasurer shall give bonds.

May make contracts.

SEC. 3. *Be it further enacted*, That all contracts and deeds which the said board may lawfully make and execute, signed by the Chairman of said Prudential Committee, and countersigned by their Clerk (whom they are hereby authorized to appoint,) and sealed with the common seal of said Corporation, shall be valid in law to all intents and purposes.

Annual meeting.

SEC. 4. *Be it further enacted*, That the first annual meeting of said board shall be on the third Wednesday of September next, at such place as the said William Bartlett may appoint; and the present officers of said board shall continue in office until others are elected.

SEC. 5. *Be it further enacted*, That the said board, at the first annual meeting aforesaid, or at any subsequent annual meeting, may elect by ballot any suitable persons to be members of said board, either to supply vacancies, or in addition to their present number. Members, how admitted.

SEC. 6. *Be it further enacted*, That the said board shall have power to make such bye laws, rules, and regulations, for calling future meetings of said board, and for the management of their concerns, as they shall deem expedient, provided the same are not repugnant to the laws of this Commonwealth. May make bye laws.

SEC. 7. *Be it further enacted*, that one quarter part of the annual income from the funds of said board, shall be faithfully appropriated to defray the expense of imparting the Holy Scriptures to unevangelized nations, in their own languages: *Provided*, that nothing herein contained shall be so construed as to defeat the express intentions of any testator or donor, who shall give or bequeath money to promote the great purposes of the board. *Provided also*, that nothing herein contained shall be so construed as to restrict said board from appropriating more than one quarter of said income to translating and distributing the Scriptures, whenever they shall deem it advisable. Appropriation of income. Proviso.

SEC. 8. *Be it further enacted*, That not less than one third of said board, shall at all times be composed of respectable laymen; and that not less than one third of said board shall be composed of respectable clergymen; the remaining third to be composed of characters of the same description, whether clergymen or laymen. Who may become members.

SEC. 9. *Be it further enacted*, That the Legislature of this Commonwealth shall at any time have the right to inspect, by a committee of their own body, the doings, funds, and proceeding of the said Corporation, and may at their pleasure, alter or annul, any or all of the powers herein granted.

[Approved by the Governor June 20, 1812.]

CHAP. XXII.

An act to authorize the town of Natick to sell the Ministry Lands, and to appropriate the proceeds thereof towards the Ministerial funds, and to appoint Trustees for the management thereof.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Selectmen of the town of Natick for the time being; the Treasurer and the Clerk of the Parish, and the Deacons of the Church for the time being, in the said town of Natick, be, and they are hereby appointed and incorporated as Trustees, by the name of Trustees of the Natick Ministerial Fund, and by that name they and their successors in office, shall be and continue a body politic and corporate forever; and they shall have a common seal, subject to alteration, and they may sue and be sued in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid, and shall have all other powers which are incident to, and necessarily belonging to the like corporations; and the said Trustees, and their successors may annually elect one of their number as President; and a Clerk, to record the doings of the said Trustees; and a*

Trustees incorporated.

Treasurer to give bond.

Treasurer, to receive and pay the monies belonging to the said fund, according to the provisions of this act, who shall give bond to the said Trustees, for the faithful performance of his duty, and shall be at all times responsible for the faithful application of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all neglect, or misconduct in his office.

SEC. 2. *Be it further enacted, That the said Trustees be, and they are hereby authorized and empowered to sell and convey the several lots of land belonging to the town of Natick, which have been, and are appropriated to the support of the ministry in the said town; and the monies arising from the sale of the said land, shall be put on interest, and shall form a fund for the support of the ministry in the said town, which shall be under the care and man-*

agement of the said Trustees, in the manner provided for, and directed in this act; and all gifts, grants, donations, bequests or legacies, which have been, or may be hereafter made to, and for the same use and purpose, shall be added to the said accumulating fund, and shall be under the same care and improvement of the Trustees aforesaid; and when the said Trustees shall loan the said monies, or any part thereof, the same shall be secured by mortgage on real estate to twice the value of the money loaned, or secured or by two or more sufficient sureties, with the principal, unless the said Trustees shall think it best to invest the said proceeds in public funded securities, or bank stock, which they shall have authority to do, and the interest and that only shall ever be appropriated for the uses aforesaid, and it shall never be in the power of the said Trustees to alter or alienate the appropriation of the fund aforesaid; and the said Trustees are hereby authorized to make and execute a good and sufficient deed, or deeds, of the said several lots of land, which shall be subscribed by the Treasurer, and when duly executed, acknowledged and delivered, by the direction of the said Trustees, shall be valid and effectual in law to pass and convey the fee simple title, from the town, to the purchaser.

Security of
property.

SEC. 3. *Be it further enacted*, That the said Trustees, Treasurer, Clerk or other officers, or persons employed by them, shall be entitled to receive no compensation for the services they may perform, out of any monies belonging to the said fund, but a reasonable compensation shall be paid them by the town; and the said Trustees, and each of them, shall be responsible to the town for their personal neglect or misconduct, whether they be officers or not, and liable to prosecution for any loss or damage resulting thereby to the fund, and the debt or damage recovered in such suit, shall be to the use and disposal of the town; and the said Trustees and Treasurer, and their successors in office, shall exhibit to the town a report of their doings, and the state of the fund, at the annual meeting in March or April.

Trustees responsible.

SEC. 4. *Be it further enacted*, That any justice of the Peace for the County of Middlesex, is hereby authorized, upon application therefor, to issue his warrant, directed to one of the Trustees named in this act, requiring him to notify and call a meeting of the said Trustees, to be holden

at such convenient time and place as may be appointed in said warrant, to organize the said Corporation by the appointment of its officers.

[Approved by the Governor June 22, 1812.]

CHAP. XXIII.

An act to incorporate The proprietors of Oxford Bridge.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Thomas Johnson, Ezekiel Porter, Samuel Butterfield, Ebenezer Keyes, John Tufts, Henry Butterfield, Samuel Small, Nathaniel Jackson, Simeon Waters, Nathan Crafts, Ebenezer Eaton, Jesse Stone, William H. Bretten, Edward Richardson, Benjamin Winslow, James Stamp, Moses M. Crafts, Aaron Severy, John Richardson, Ezekiel P. Pierce, Solomon Leland and John Crafts and their associates, together with such others as already have, or may hereafter become proprietors, shall be a Corporation, by the name of The proprietors of Oxford Bridge, and by that name may sue, and prosecute, and be sued and prosecuted to final judgment and execution, and may keep and use a common seal, may exercise and enjoy the powers and privileges, incident and belonging to similar corporations, and do and suffer all other acts and things, which like bodies corporate, may or ought to do and suffer.

SEC. 2. *Be it further enacted,* That the said bridge shall be erected in the town of Jay, at a place called Rock Island, in the Androscogin river, and that it shall be built of good and durable materials, not less than twenty four feet wide, and well covered with plank or timber, suitable for such a bridge, and with sufficient rails on each side for the safety of passengers; and the sills or string pieces of said bridge, shall be laid at least eight feet above the surface of the water, at a high freshet.

SEC. 3. *Be it further enacted,* That for the purpose of reimbursing to the said proprietors the money expended in building the said bridge, and keeping the same in good repair, a toll be, and hereby is granted and established, for the sole use and benefit of the said incorporation, according to the rates following, viz. For each foot passenger, two

Persons Incorporated.

Powers.

Seal.

Where to be erected.

How built.

Toll established.

cents; one person and horse, eight cents; for a single horse-cart, sled, or sleigh, twelve cents and five mills; for each wheel-barrow, hand-cart, and every other vehicle capable of carrying a like weight, four cents; for each team, including cart, sled, or sleigh, drawn by more than one beast, and not exceeding four beasts, sixteen cents; for every additional beast above four, two cents each; for each single horse and chaise, chair or sulky, twelve cents and five mills; for each coach, chariot, phaeton, or curricule, twenty-five cents; for neat cattle or horses, exclusive of those rode on, or in carriages or in teams, two cents each; sheep and swine, one cent each; and in all cases the same toll shall be paid for all carriages passing said bridge, whether the same be loaded, or not loaded, and to each team one man, and no more shall be allowed as a driver, to pass free from paying toll; and the said toll shall commence at the day of the first opening of the said bridge for passengers, and shall so continue, for and during the term of thirty years from the said day; and after the expiration of that term the said toll shall be subject to be regulated, or wholly discontinued by the Legislature: *Provided* the said proprietors shall at all times, keep the said bridge in good, safe, and passable repair, during the term aforesaid: *Provided also*, that all persons going to, or returning from military duty, and all persons inhabitants of the said town of Jay, going to, or returning from public religious worship, shall at all times be permitted to pass said bridge free of toll.

When to commence and length of time to continue.

Proviso

SEC. 4. *Be it further enacted*, That any three of the Proprietors before named may, by posting up a notification in some public place in the towns of Farmington, Wilton, Jay and Livermore, notify and call a meeting of said proprietors to be holden in Jay, at such convenient time and place, as shall be expressed in said notification, ten days at least before the time of meeting, and the said proprietors, being then met, allowing one vote to each share (provided no person shall be entitled to more than ten votes,) shall proceed to choose a clerk, who shall be sworn to the faithful discharge of the duties of his office. And the said proprietors may at the same, or a subsequent meeting, appoint such other officers, as they may deem necessary for conducting the business of said corporation, and may also agree on a mode of calling future meetings, and make and

Proprietors may call meetings.

Shall choose a clerk.

May appoint officers.

May make rules.

establish such rules and regulations as they may judge necessary and convenient for executing and completing the building the said bridge, for collecting the toll hereby granted, and for the prudent and regular management of the affairs of the said corporation, and the same rules and regulations may enforce, and for the breach thereof may order and enjoin fines and penalties, not exceeding twelve dollars: *Provided* that said rules and regulations, shall not in any case be repugnant to the Constitution and laws of this Commonwealth.

May order
fines and pen-
alties.
Proviso.

SEC. 5. *Be it further enacted*, That if the said corporation shall neglect or refuse for the term of seven years from the passing of this act, to build and complete the said bridge, then this act shall be void, and of no effect.

[Approved by the Governor June 22, 1812.]

CHAP. XXIV.

An act supplementary to the act respecting the evidence of notice by administrators and others of the sale of real estate.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the affidavit of any Executor, Administrator, Guardian or other person, who has been, or hereafter may be duly licensed to sell real estate, or of any person employed by any of them taken within six months after the passing of this act, or within eighteen months next following the sale of such real estate and filed in the Probate Court, and recorded in the manner prescribed in the act entitled an act for limiting the time within which suits may be prosecuted against Executors and Administrators and for perpetuating the evidences of notice given by them and by guardians and others respecting the sale of real estate, shall and may be admitted as evidence of the time, place, and manner notice was given, as in and by the same act is provided, any thing in the same act to the contrary notwithstanding.

[Approved June 22, 1812.]

CHAP. XXV.

An act to establish the First Baptist Society in Framingham.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Benjamin Haven, Joseph Ballard, William Ballard, Samuel Ballard, Ephraim Parkhurst, Alexander Clark, John Ballard, Elisha Jones, Nathan Deadman, James Dalrymple, Alexander Edwards, Daniel Claflin, Cornelius Claflin, William Claflin, Asa Claflin, Zedekiah Sanger, Gilbert Marshall, Isaac Dench, Micah Knowlton, Michael Homer, Ebenezer Swift, Nathan Tombs, Solomon Newton, Mary Edwards, Jesse Haven, Joseph Haven, Elijah Haven, Abner Mellen, James Greenwood, Samuel Winchester, Amasa How, Parly How, John Gallot, Elias How, Jonathan Edwards, James Foster, Ephraim Biglow, Samuel Frost, Leonard Arnold, Joseph Tombs, Moses Fisk, Isaac Fisk, Thomas Arnold, Artemas Parker, Obiel Daniels, Abijah Hill, Jeduthan Dadman, Gilbert Haven, John Dadman, James Greenwood, 2d. and Levi Bicknell with their families and their estates be, and they hereby are incorporated as a distinct religious society by the name of The First Baptist Society in Framingham for religious purposes only, and as such shall have all the powers and privileges of other religious societies according to the Constitution and Laws of this Commonwealth.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That any person belonging to the towns of Framingham, Hopkinton, or Holliston, who may desire to join in religious worship and become a member of the said Baptist society shall have liberty so to do, by giving notice of such desire and intention in writing to the Clerk of the Society where such person has formerly attended on public worship, and also a copy of the said notice in writing to the clerk of the said Baptist society, fifteen days previous to the annual meeting; and such person from the date aforesaid shall be considered a member of the said Baptist society.

Persons from
other towns
may join the
society.

SEC. 3. *Be it further enacted,* That when any member of the said Baptist Society shall see cause to leave the same

May leave
the society.

Proviso.

and to unite with any other religious society, the like notice and process shall be made and given, *mutatis mutandis*, as is prescribed in the second section of this act. *Provided, always*, that in every case of secession from one society and joining to another, the person so seceding shall be holden by law to pay his or her proportion of all parochial expenses assessed and not paid prior to leaving the said society.

Justice may
issue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the County of Middlesex is hereby authorized to issue a warrant directed to a member of the said Baptist society, requiring him to notify and warn the first meeting of the said society, to meet at such convenient time and place as shall be expressed in said warrant for the choice of such officers as religious societies are accustomed to choose, and appoint at their annual meetings.

[Approved June 22, 1812.]

CHAP. XXVI.

An act to change the names of certain persons therein named.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Joseph Freeland, Jun. of Boston shall be allowed to take the name of Joseph Freeland Bordman, James Perkins son of the late Colonel William Perkins of said Boston shall be allowed to take the name of Charles James Perkins, all of the County of Suffolk. John Mudge Jun. of Lynn, shall be allowed to take the name of Parker Mudge; Charles Kimball of Boxford shall be allowed to take the name of Charles Harrison Kimball; George Smith, the seventh of that name of Salem, shall be allowed to take the name of George King Smith; Jonathan Sargent the fourth of Amesbury, shall be allowed to take the name of Jonathan Adams Sargent; Jonathan Morrill, Jun. of said Amesbury shall be allowed to take the name of Jonathan Currier Morrill, all in the County of Essex. William Breck of Northampton in the County of Hampshire, shall be allowed to take the name of Joseph Hunt Breck; Chaun-

cy Taylor, of Blanford in the County of Hampden, shall be allowed to take the name of Chauncy Taylor Knox. Rebecca Cutler of Sudbury in the County of Middlesex, shall be allowed to take the name of Rebecca Maynard; James Child, Jun. of Augusta in the County of Kennebec, shall be allowed to take the name of James Loring Child; Barden Sylvester, Merchant, of Bath in the County of Lincoln, shall be allowed to take the name of Thomas Barden Sylvester; and the said several persons from the time of passing this act, shall be called and known by the names which by this act, they are severally allowed to take as aforesaid, and the same shall be considered as their only proper and legal names.

[Approved by the Governor June 22, 1812.]

CHAP. XXVII.

An act to prevent the destruction of the Lobster Fishery in the town of Provincetown, in the County of Barnstable, and to preserve and regulate the same in the waters and shores of said town.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the first day of July next it shall not be lawful for any person living without the jurisdiction of this Commonwealth to take any lobsters within the waters and shores of the town of Provincetown for the purpose of carrying away from said waters in smacks and vessels owned without said Commonwealth, without first obtaining a permit in writing from the Selectmen of the said town of Provincetown, and every person offending against the provisions of this act, shall for every such offence forfeit and pay the sum of ten dollars, and in case the number of lobsters so unlawfully taken or found on board any such smack or other vessel shall exceed one hundred, such person shall in addition to such penalty forfeit and pay a further sum of ten dollars for each hundred lobsters so taken or found, and in that proportion for a larger or smaller number over the first hundred.

None but the inhabitants of this state may take fish,

without permission.

Forfeit for offending.

Further forfeit.

Boundaries
described.

SEC. 2. *Be it further enacted*, That the waters and shores of the town of Provincetown shall be considered and taken by this act to extend as follows, beginning at Race point (so called) one half mile from the shore, by said shore to the end of Long point which forms the harbour of Provincetown, and from the end of Long point, one half mile, and including the harbour within the town of Provincetown.

Selectmen
may sell li-
censes.

SEC. 3. *Be it further enacted*, That the selectmen of the said town of Provincetown may grant a permit, or otherwise license any person or persons living without the jurisdiction of said Commonwealth on their paying therefor the sum of one dollar to the use of said town of Provincetown, for every hundred lobsters which they may thus take and carry away, or upon such other terms and conditions as they shall think proper.

Shall annual-
ly choose
wardens.

Their duty.

SEC. 4. *Be it further enacted*, That the said town of Provincetown are hereby authorized to choose annually such number of fish wardens as they may judge necessary, who shall be sworn to the faithful discharge of their duty, whose duty it shall be to prosecute for all offences against this act, and all fines and forfeitures that shall be incurred by virtue of this act shall be the one half to him or them who shall sue for the same, and the other half to the use of the said town of Provincetown, and the same shall be recovered with legal costs of suit by an action in any court proper to try the same.

[Approved by the Governor June 22, 1812.]

CHAP. XXVIII.

An act to fix the times and places for holding the Circuit Courts of Common Pleas, within and for the several Counties in this Commonwealth, and for repealing all laws heretofore passed for that purpose.

Former laws
repealed.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That all laws heretofore made and passed for fixing the times and places for holding the Circuit Courts of Common Pleas, within and for the several Counties in this Commonwealth, shall be, and the same are

hereby repealed, so far as relates to the time of holding said Courts, from and after the first day of August next, at which time this act is to operate, and be in force.

SEC. 2. *Be it further enacted*, That the Circuit Courts of Common Pleas, to be holden within and for the several Counties, in this Commonwealth, shall be holden at the several times and places hereafter mentioned, that is to say; within and for the County of Suffolk, at Boston, on the Tuesdays next after the fourth Mondays in March, June, September and December, within and for the County of *Essex*, at Ipswich, on the third Monday of March, and on the third Monday of December, at Salem, on the third Monday of June; at Newburyport, on the third Monday of September. Within and for the County of *Middlesex*, at Concord on the second Monday in September, and on the second Monday in March, and on the second Monday in June; at Cambridge, on the second Monday in December. Within and for the County of *Worcester*, at Worcester, on the third Monday in March, and on the third Monday in June, and on the fourth Monday in August, and on the first Monday next after the fourth Monday in November. Within and for the County of *Hampshire*, at Northampton, on the fourth Monday in March, and on the third Monday in August, and on the second Monday in November. Within and for the County of *Hampden*, at Springfield, on the first Tuesday in April, and on the first Monday next after the fourth Monday in August, and on the fourth Monday in November. Within and for the County of *Franklin*, at Greenfield, on the second Monday in March, and on the first Monday in August, and on the third Monday next after the fourth Monday in November. Within and for the County of *Berkshire*, at Lenox, on the second Monday in April, and on the third Monday in September, and on the first Monday in January. Within and for the County of *Norfolk*, at Dedham, on the fourth Monday in April, and on the third Monday in September, and on the third Monday in December. Within and for the County of *Plymouth*, at Plymouth on the second Monday in April, and on the second Monday in August, and on the third Monday in November. Within and for the County of *Bristol*, at Taunton on the second Mondays in March, June, September and December. Within and for County of *Barnstable*, at Barnstable, on the third Tuesday

Times and
places of holding the
courts.

in April, and on the first Tuesday in September. Within and for the County of *York*, at Alfred on the first Monday in January, and on the second Monday in September, and at York on the third Monday in April. Within and for the County of *Cumberland*, at Portland on the first Tuesday in March, and on the third Tuesday in June and on the third Tuesday in November. Within and for the County of *Oxford*, at Paris on the last Tuesday in February, and on the second Tuesday in June, and on the second Tuesday in November. Within and for the County of *Lincoln*, at Warren on the second Monday in January, at Wiscasset on the second Monday in May, at Tops-ham, on the fourth Monday in August. Within and for the County of *Kennebec*, at Augusta on the second Mondays in April, August, and December. Within and for the County of *Somerset*, at Norridgewock on the third Tuesday in March, and on the fourth Tuesday in June, and on the first Tuesday in November. Within and for the County of *Hancock*, at Castine, on the second Tuesday in April, and on the first Tuesday in July, and on the first Tuesday in November. Within and for the County of *Washington*, at Machias, on the first Mondays in March and September. Within and for the County of *Nantucket*, at Nantucket, on the second Monday in May, and on the first Monday in October. Within and for the County of *Dukes County*, at Edgartown on the third Monday in May, and on the first Monday in November. *Provided nevertheless*, That the day of the week on which any of the said Courts are respectively to be holden as aforesaid, may in all Judicial proceedings, from time to time, be designated and expressed, by such day of the week in the month, as will be the day on which any Court is to be holden, pursuant to the foregoing arrangement.

Provide.

SEC. 3. *Be it further enacted*, That all actions pending at, and all writs, recognizances and processes now made, or which may be made returnable to any of the aforesaid Courts which before the operation of this act, should have been holden at any other time or place, than those in this act affixed for holding said Courts, shall be returnable to, entered, made, proceeded on, tried, and determined at the Courts next to be holden in each County after said first day of August next, agreeable to the true intent of such writ, process, recognizance, or appeal.

SEC. 4. *Be it further enacted*, That this Act shall be in force from and after the first day of August next.

[Approved by the Governor June 22, 1812.]

CHAP. XXIX.

An Act to authorize the Justices of the Supreme Court of Probate to grant appeals in certain cases.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That wherever any person has been or shall be aggrieved by any order, decree, denial, or decision of any Judge of Probate in any County in this Commonwealth, and such person by accident, mistake, or otherwise, shall not have appealed to the Supreme Court of Probate for said County agreeably to the provisions and requisitions of law, the said Supreme Court upon petition to them, and after notice to the person or persons interested to support said order, decree, denial, or decision, and it appearing that the petitioner for relief has not lost his appeal by his own neglect, and that justice requires a revision of said order, decree, denial, or decision, may grant an appeal therefrom to be entered, heard, and determined in the said Supreme Court of Probate; *Provided* such petition shall be preferred within two years next after said order, decree, denial, or decision, shall have been made by such Judge of Probate.

[Approved by the Governor June 22, 1812.]

CHAP. XXX.

An Act respecting Bailable offences.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That any one or more of the Justices of the Circuit Court of Common Pleas, or Court of Common Pleas, or any two Justices of the peace and of the quorum for any County, on application made to them by

any person, who now is or hereafter may be confined in goal for a bailable offence or for not finding sureties or recognizance may proceed to inquire into the same, and admit any such person to bail, and for this purpose shall have and exercise the same power concurrently which any one or more of the Justices of the Supreme Judicial Court may or can do, any law, usage, or custom to the contrary notwithstanding.

Admit to
bail.

[Approved by the Governor June 23, 1812.]

CHAP. XXXI.

An Act in addition to an act entitled an "Act for dividing the County of Hampshire and erecting and forming the southerly part thereof into a separate County by the name of Hampden.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That until the General Court shall otherwise order, all appeals from any judgments rendered at any Circuit Court of Common Pleas within the County of Hampden shall be heard and tried at the Supreme Judicial Court to be holden at Northampton, in the County of Hampshire, in the same manner as if the act to which this is in addition had not passed. And the Supreme Judicial Court to be holden at Northampton in the County of Hampshire shall be holden as well for the County of Hampden as for the counties of Hampshire and Franklin, and shall from time to time have the same jurisdiction, power and authority for the trial of all actions civil and criminal, the causes whereof have arisen or shall arise within the body of the County of Hampden and to hear and determine all other matters and things arising or which shall arise within the body of the said County of Hampden as if the same actions matters and things had arisen within the body of the County of Hampshire.

SEC. 2. *Be it further enacted,* That the clerk of the Judicial Courts for the County of Hampshire whenever he shall issue Venires for any Grand or Travers Jurors to attend the Supreme Judicial Courts to be holden at Northampton within the County of Hampshire, and for the Counties

of Hampshire, Hampden, and Franklin, shall be governed by the division into Jury Districts already made until a new division into Districts is made of the three Counties aforesaid.

[Approved by the Governor June 23, 1812.]

CHAP. XXXII.

An Act imposing a Tax on the Banks within this Commonwealth.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the corporation of each and every Bank within this Commonwealth, which shall be in operation on the first Monday of October next, and all such incorporations which may after that time, come into operation, shall within ten days next after each and every semi-annual dividend which shall be made by the said corporations respectively, after the said first day of October next, pay to the treasurer of this Commonwealth, for the use of the same, a tax of the one half of one per cent on the amount of the original stock; which shall at the time of such dividend have been actually paid by the stockholders in the respective corporations into their respective Banks.

Amount of
tax

SEC. 2. *Be it further enacted,* that if any Bank shall neglect to pay the said tax for the space of thirty days, after the same shall become due, it shall be the duty of the treasurer to issue a warrant of distress, directed to the Sheriff of the County, in which such Bank is situated, or his deputy, commanding them to levy and collect the sum due from the estate and effects of such Bank, which warrant shall be in the same form (*mutatis mutandis*) as warrants of distress against delinquent Sheriffs are by law directed to be issued.

for neglect.

[Approved by the Governor June 23, 1812.]

CHAP. XXXIII.

An act to continue in force an "Act entitled an Act to establish a Bank in this State, and to incorporate the subscribers thereto," also "An act entitled an act in addition to an act entitled "an act to establish a bank in this State, and to incorporate the subscribers thereto."

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act entitled "an act to establish a Bank in this State, and to incorporate the subscribers thereto" shall continue in force until the first day of October, which will be in the year of Our Lord one thousand eight hundred and thirty one; also that an act entitled "An act in addition to an act entitled "An act to establish a Bank in this State and to incorporate the subscribers thereto" shall continue in force, until the said first day of October: *Proviso.* *provided* the President and Directors of said Bank with the consent of the major part of the Stockholders in number and value shall within three months make executè and deposit in the office of the Secretary of this Commonwealth an act or agreement, signifying the assent of the Corporation to this act, and releasing and surrendering all their right and claim to all privileges or immunities as a Banking Company or otherwise from and after the said first day of October in the year of Our Lord One thousand eight hundred and thirty one. And if said President and Directors shall fail to deposit such act or agreement in the office of the Secretary of the Commonwealth, the act before mentioned entitled "An act to establish a bank in this state, and to incorporate the Subscribers thereto," and also the act in addition thereto, shall be, and hereby is repealed, from and after the first day of March next.

SEC. 2. *Be it further enacted,* That the said Corporation from and after the first Monday of October next shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend the half of one per cent on the amount of the stock which shall at the time of said dividend have been actually paid in. *Proviso.* *Provided however* that the same tax, payable in manner aforesaid shall be required by the Leg-

islature of all banks that shall be hereafter incorporated within this Commonwealth from and after the said first Monday of October.

[Approved by the Governor June 23, 1812.]

CHAP. XXXIV.

An act to incorporate the President, Directors and Company of the Boston Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That John T. Apthorp, Ebenezer Francis, William Pickman, William Pratt, Isaac P. Davis, William Sullivan, Daniel Sargent, William Brown, Harrison G. Otis, Thomas C. Amory, Epes Sargent and their associates, successors and assigns, shall be, and hereby are created a Corporation by the name of the President, Directors and Company of the Boston Bank, and shall so continue from the first Monday of October next, until the first Monday in October which will be in the year of our Lord one thousand eight hundred and thirty one, and the said Corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and entitled to the same rights, privileges and immunities which are contained in an act entitled "An act to incorporate the President, Directors and Company of the State Bank," except in so far as the same are modified, or altered by this act, as fully and effectually as if the several sections of said act were herein specially recited and enacted.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the capital stock of the said Corporation, shall consist of a sum, not more than twelve hundred thousand dollars, in gold and silver, to be besides such part as this Commonwealth may subscribe in manner herein after mentioned, divided into shares of one hundred dollars each, which shall be paid in manner following, that is to say, one fourth part thereof, on or before the first day of October next, and the residue on the first day of July in the year one thousand eight hundred and thirteen, or as much sooner, and in such instalments as the Stockholders shall direct, and any Director of the Boston

Capital Stock.

When to be
paid

Bank, may be eligible as a director of the Bank hereby established, and the Stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock, and the profits thereof which being entered in the books of said Corporation, shall be binding on the Stockholders, their successors and assigns, until they shall otherwise determine, and the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of fifty thousand dollars and no more, at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable, *provided however*, that nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage or on execution, to any amount as security for, or in payment of any debts due to the said Corporation, and *provided further*, that no monies shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and paid in, and existing in gold and silver in their vaults shall amount to three hundred and seventy five thousand dollars, nor until the said capital stock actually in said vaults, shall have been inspected and examined by three Commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of said Corporation, to examine and count the monies actually existing in said vaults, and to ascertain by the oath of the Directors of said Bank, or some of them, that said capital stock hath been bona fide paid in by the Stockholders of said Bank, and towards payment of their respective shares, and not for any other purpose, and it is intended therein to remain as part of said capital, and to return a certain certificate thereof to the Governor.

SEC. 3. *Be it further enacted*, That the said Bank shall be established and kept in the town of Boston aforesaid.

SEC. 4. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding one hundred and twenty thousand

May hold
estate.

Proviso.

Proviso.

Shall loan
to the Com-
monwealth.

dollars at any one time, reimbursable by five annual instalments, or at any shorter periods, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per cent per annum. *Provided however,* that the Commonwealth shall never at any one time stand indebted to said Corporation without their consent for a larger sum than three hundred thousand dollars.

Proviso.

SEC. 5. *Be it further enacted,* That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said Corporation as soon as may be, at such time and place as they may see fit, (by advertising the same in any two Newspapers printed in Boston,) for the purpose of making, ordaining and establishing such bye-laws and regulations, for the orderly conducting the affairs of said Corporation as the Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call meetings.

May make bye-laws.

SEC. 6. *Be it further enacted,* That in addition to the capital stock aforesaid of twelve hundred thousand dollars, the Commonwealth shall be interested in the said Corporation to the amount of six hundred thousand dollars, which shall be paid by an assignment to said Bank of the stock now owned by the Commonwealth in the Boston Bank, to be made by his Excellency the Governor, with the advice of Council, which he is hereby authorized to make under his hand, and the seal of the Commonwealth, whenever he shall be certified that the Bank established by this act has commenced discounting.

Commonwealth to hold stock.

SEC. 7. *Be it further enacted,* That the Treasurer of the Commonwealth for the time being, shall ex officio be a Director of said Bank, in addition to the directors by law to be chosen by the Stockholders, and the Legislature shall have a right from time to time to appoint a number of Directors of the said Bank, in proportion as the sums paid from the Treasury of the Commonwealth, shall bear to the whole amount of the stock actually paid into the said Bank, if at any time hereafter they shall judge fit to exercise that right.

Treasurer of state to be Director.

SEC. 8. *Be it further enacted,* That the Bank hereby established, shall be authorized to receive from the Boston Bank transfers of any bonds, mortgages, or other securities,

such bonds and mortgages, to be considered as part of the sum required by this act to be loaned on securities of that description.

Proviso.

SEC. 9. *Be it further enacted*, That whenever the Legislature shall order and direct, the said President, Directors and Company, shall after nine months notice, be held and obliged to purchase of the Commonwealth, its capital stock owned in said Bank, or any part thereof at par. *Provided*, that not more than one half of said capital stock shall be thus purchased at one time; and the Treasurer is hereby authorized from time to time, to transfer to the said President, Directors and Company, such sums of said capital stock, as shall by them be purchased as aforesaid, upon payment of the purchase money into the Treasury.

[Approved by the Governor June 23, 1812.]

CHAP. XXXV.

An Act to incorporate the President, Directors, and Company of the Bath Bank.

Persons in-
corporated.

May make
bye-laws.

Proviso.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William King, Joshua Wingate, Jun. and Jonathan Page, their associates, successors, and assigns, shall be, and hereby are created a corporation by the name of The President, Directors and Company of the Bath Bank, and shall so continue from the first day of October next for the term of nineteen years next ensuing and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any courts of record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of the said corporation and the prudent management of their affairs; *provided* such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of one hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each. The one hundred thousand dollars shall be paid in the following manner, to wit, twenty five thousand dollars shall be paid in on or before the first day of December next, and the remaining seventy five thousand dollars, on or before the first day of December, which will be in the year of our Lord one thousand eight hundred and thirteen, or by instalments in such sums and at such earlier periods as the stockholders may direct, and the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of twenty thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further* that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to twenty five thousand dollars.

Capital stock,
when to be paid.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations provisions, restrictions, and reservations which are provided in and by the third section of an act entitled "An act to incorporate the President, Directors, and Company of the State Bank, shall be binding on the bank hereby established. *Provided*, that the bond required to be given by the Cashier shall be in the penalty of ten thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transacting of business and *provided also* that the amount of bills at any

Proviso.

time issued from said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

Where to be
established.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Bath.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said Corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act *provided*, their incorporation may thereupon be declared forfeited and void.

May call
meetings.

SEC. 6. *Be it further enacted*, That the persons herein beforenamed, or any three of them are authorized to call a meeting of the members and stockholders of said corporation as soon as may be at such time and place as they may see fit (by advertising the same for three weeks successively in the Eastern Argus printed in Portland,) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and bills of other banks on hand, which statement shall be signed by the directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay any bona fide holder the original amount of any note of said bank counterfeited or altered in the course of its circulation to a larger amount notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October in the year of Lord one thousand eight hundred and twelve, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semiannual dividend, the half of one per cent on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all Banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any Bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

Shall pay the Commonwealth.

Provide.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of the said bank, shall always be appropriated to loans, to be made to citizens of this Commonwealth, wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security by a mortgage of real estate, to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures and rights of redemption as is by law provided in other cases.

Shall loan to the Commonwealth. ✓

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital stock actually paid in at any one time reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth with the annual payment of interest at a rate not exceeding five per centum per annum; *Provided however* that the Commonwealth shall never at any one time stand indebted to said corporation without their consent for a larger sum than twenty per centum on the capital stock actually paid in.

Funds how appropriated.

Provide.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Common-

wealth a sum not exceeding fifty thousand dollars to be added to the capital stock of said Company subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.
 [Approved by the Governor June 23, 1812.]

CHAP. XXXVI.

An Act to incorporate the President Directors and Company of the Worcester Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Daniel Waldo, Benjamin Haywood, Oliver Fisk, Nathaniel Paine, Isaiah Thomas, Samuel Flagg, and Levi Lincoln, Jun. their associates successors and assigns, shall be, and hereby are created a Corporation by the name of The President Directors and Company of the Worcester Bank and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any place whatever, and also to make, have, and use a common seal, and to ordain establish and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the government of said corporation and the prudent management of their affairs. *Provided* such bye-laws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules restrictions, limitations and provisions herein prescribed.

Persons in-
corporated.

Proviso.

SEC. 2. *Be it further enacted,* That the capital stock of the said corporation shall consist of the sum of Two hundred thousand Dollars, in gold and silver divided into shares of one hundred dollars each which shall be paid in at four equal instalments, the first on the first day of October next, the second on the first day of January next after, the third on the first day of April next after, and the fourth on

Capital stock.

the first day of July next after ; or at such earlier times as the Stockholders at any meeting thereof may order. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, <sup>May hold es-
tate.</sup> purchase, receive, possess, enjoy and retain to them their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of thirty thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think proper. *Provided however,* ^{Provided} That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation; and *provided further,* that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to fifty thousand dollars.

SEC. 3. *Be it further enacted,* That the rules, restrictions limitations, reservations and provisions, which are provided in and by the third section of an act entitled An act to incorporate the President Directors and Company of the State Bank shall be binding on the bank hereby established, *Provided* only that any Director of the Worcester bank now existing may be eligible as a Director of the bank hereby established; that the bond required to be given by the Cashier, shall be given in the penalty of twenty <sup>Bond, of the
Cashier.</sup> thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also,* that the amount of bills at any time issued from said bank shall not exceed fifty per cent beyond the capital stock actually paid in.

SEC. 4. *Be it further enacted,* That the said Bank shall be established and kept in the town of Worcester in the County of Worcester.

Legislature
shall have ac-
cess to vaults,
&c.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

May hold
meeting.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in the National Ægis and Massachusetts Spy,) for the purpose of making, ordaining and establishing such bye-laws ordinances and regulations for the orderly conducting the affairs of said corporation as the said Stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital Stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay
their notes
counterfeit or
not.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay

by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

Shall pay a tax to the Treasurer of State.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and right of redemption as is by law prescribed in other cases. *Provided however*, that the said bank may take, receive and hold by assignment any such mortgages as are already held by the existing Bank in the town of Worcester, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

Amount to be appropriated to loans.

Amount of loans.

Security for loans.

Proviso.

SEC. 11. *Be it further enacted*, that whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the Capital Stock actually paid in at any one time reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth shall never at any time, stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding one hundred thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

[Approved by the Governor June 23, 1812.]

CHAP. XXXV.

An Act to incorporate the President, Directors and Company of the Cumberland Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Isaac Ilsley, Asa Clap, Zachariah Marston, John Dean, Thomas Robinson, James C. Jewett, Robert Ilsley, Albert Newhall, Joseph E. Foxcroft, Samuel Trask, Israel Richardson, Samuel Freeman, Joshua Richardson, and George Bradbury, their associates, successors, and assigns, shall be, and hereby are created a Corporation by the name of The President, Directors and Company of the Cumberland Bank, and shall so continue from the first day of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law to sue, and be sued, plead and be impleaded, defend and be defended, in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish, and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the government of the said corporation, and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of three hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments,

Common-
wealth may
hold Stock.

Persons in-
corporated.

Proviso.

Capital
Stock.

the first on the first day of October, the second on the first day of January next, the third on the first day of April next, and the fourth on the first day of July next after ; and as much sooner as the Stockholders shall direct. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of fifty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however,* That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further,* that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to seventy five thousand dollars.

May hold estate.

Proviso.

SEC. 3. *Be it further enacted* That the rules limitations, and provisions, which are provided in and by the third section of an act entitled, An act to incorporate the President, Directors and Company of the State Bank shall be binding on the bank hereby established. *Provided* that the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars, that the number of Directors to be annually chosen shall be nine, and five may constitute a quorum for the transaction of business. And *provided also,* that the amount of debts at any time due from said bank shall not exceed fifty per cent. beyond their capital stock actually paid in, and *provided further* that any director of the Maine Bank, may be eligible as a director of the bank hereby incorporated.

SEC. 4. *Be it further enacted,* That the said bank shall be established and kept in the town of Portland.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature
shall have ac-
cess to vaults,
&c.

SEC. 6. *Be it further enacted*, That the persons herein before named or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in the two Portland newspapers, for the purpose of making, ordaining and establishing such bye-laws, ordinances, and regulations for the orderly conducting the affairs of the said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call
meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath before some person competent to administer the same.

Shall exhibit
a statement
of accounts.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay
their notes
counterfeit
or not.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October, in the year of our Lord one thousand eight hundred and twelve,

shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however,* That the same tax payable in manner aforesaid shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth: And *provided further,* that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

Shall pay a tax to the treasurer of state.

Proviso.

SEC. 10. *Be it further enacted,* That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and rights of redemption as is by law provided in other cases.

Amount to be appropriated to loans.

Amount of loans.

Security for loans.

SEC. 11. *Be it further enacted,* That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however,* That the Commonwealth shall never at any one time stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 12. *Be it further enacted,* That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth, a sum not exceeding one hundred and fifty thousand dollars, to be added to the capital stock of said com-

Commonwealth may hold stock.

pany, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

SEC. 15. *Be it further enacted*, That said bank may take, receive, and hold by assignment, any such mortgages as are already held by the Maine Bank, and which may be assigned, and taken by agreement between the two corporations, the amount of which shall be considered as an original loan to be made as above directed.

[Approved by the Governor June 23, 1812.]

CHAP. XXXVIII.

An act to incorporate the President, Directors and Company of the Union Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Oliver Wendell, Samuel Brown, Stephen Codman, Thomas L. Winthrop, Henderson Inches, John Welles, Benjamin Joy, Benjamin Bussey, Samuel Cobb, Timothy Bigelow, John Davis, Josiah Quincy, and their associates, successors and assigns, shall be and are hereby created a Corporation, by the name of the President, Directors and Company of the Union Bank; and shall so continue from the first Monday of October next, until the first Monday of October, which shall be in the year of our Lord one thousand eight hundred and thirty one, and the said corporation shall always be subject to the rules, reservations, restrictions, limitations, taxes and provisions, and entitled to the same rights, privileges and immunities which are contained in an act, entitled "An Act to incorporate the President, Directors and Company of the State Bank," except so far as the same are modified or altered by this act, as fully and effectually as if the several sections of said act, were herein specially recited and enacted.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of a sum not more than eight hundred thousand dollars, in gold and silver, to be, besides such part as this Commonwealth shall subscribe in

manner hereafter mentioned, divided into shares of one hundred dollars each, which shall be paid in manner following, that is to say, one fourth part thereof on or before the first day of October next, and the residue on the first day of July, in the year of our Lord one thousand eight hundred and thirteen, or as much sooner, and in such instalments as the Stockholders shall direct, and any Director of the Union Bank may be eligible as a Director of the Bank hereby established; and the Stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and profits thereof, which being entered in the books of said corporation shall be binding on the Stockholders, their successors and assigns, until they shall otherwise determine, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of one hundred thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable. *Provided* When to be paid in. *however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on an execution, to any amount as security for, or in payment of any debts due to said corporation. *And provided further*, that no monies shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and paid in, and existing in gold and silver in their vaults, shall amount to two hundred and forty thousand dollars, nor until the said capital stock actually in said vaults shall have been inspected and examined by three Commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of said corporation, to examine and count the monies actually existing in said vaults, and to ascertain by the oath of the Directors of said Bank, or some of them, that said Capital hath been, bona fide, paid in by the Stockholders of said Bank, and towards payment of their respective shares, and not for any other purpose, and it is intended therein to remain as part of said Capital, and to return a certificate thereof to the Governor. May hold estate. Provided. Commissioners appointed. Their duty.

SEC. 3. *Be it further enacted*, That the said Bank shall be established and kept in the town of Boston.

SEC. 4. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding eighty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum. *Provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation without their consent, for a larger sum than two hundred thousand dollars.

SEC. 5. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same in any two newspapers printed in Boston, for the purpose of making, ordaining, and establishing such bye-laws and regulations for the orderly conducting the affairs of said corporation, as the Stockholders shall deem necessary, and for the choice of the first board of Directors and such other officers as they shall see fit to choose.

SEC. 6. *Be it further enacted*, That in addition to the capital stock aforesaid of eight hundred thousand dollars, the Commonwealth shall be interested in said corporation to the amount of four hundred thousand dollars, which shall be paid by an assignment to said Bank of the stock now owned by the Commonwealth in the Union Bank, to be made by his Excellency the Governor, with advice of the Council, which he is hereby authorized to make, under his hand and the seal of the Commonwealth whenever he shall be certified that the Bank established by this act has commenced discounting.

SEC. 7. *Be it further enacted*, That the Secretary of the Commonwealth, for the time being, shall, ex officio, be a Director of said Bank, in addition to the Directors by Law to be chosen by the Stockholders; and the Legislature shall have a right, from time to time, to appoint a number of Directors of said Bank, in the proportion that the sums paid in from the Treasury of the Commonwealth shall bear

to the whole amount of the stock actually paid into said Bank, if at any time hereafter they shall see fit to exercise that right.

SEC. 8. *Be it further enacted*, That the Bank hereby established, shall be authorized to receive from the Union Bank, transfers of any bonds, mortgages, or other securities; such bonds and mortgages to be considered as a part of the sum required by this act to be loaned on securities of that description.

SEC. 9. *And be it further enacted*, That whenever the Legislature shall order and direct, the said President, Directors and Company, shall after nine months notice, be held and obliged to purchase of the Commonwealth, its capital stock owned in said Bank, or any part thereof at par. *Provided*, that not more than one half of said capital stock, shall be thus purchased at one time, and the Treasurer is hereby authorized from time to time to transfer to the said President, Directors and Company, such sums of said capital stock as shall by them be purchased as aforesaid, upon payment of the purchase money into the Treasury.

Shall purchase the Stock owned by the Commonwealth. Proviso.

[Approved by the Governor June 23, 1812.]

CHAP. XXXIX.

An act to incorporate the President, Directors and Company of the Phoenix Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Daniel Coffin, Isaac Coffin, Silvanus Macy, Zenas Coffin, Obed Macy, James Barker, Paul Gardner, Jr. George Gardner &c. their associates, successors, and assigns shall be, and hereby are created a Corporation by the name of The President, Directors and Company of the Phoenix Bank, and shall so continue from the first day of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws,

Persons incorporated.

Proviso.

ordinances and regulations as to them may appear necessary and convenient, for the government of the said corporation and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Capital stock,

when to be paid.

May hold estate.

Proviso.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of one hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each, one quarter part thereof shall be paid in on the first day of October next, and the residue on or before the first day of July in the year of our Lord one thousand eight hundred and thirteen; and the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of twelve thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount as security for, or in payment of any debts due to the said corporation, and *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty five thousand dollars, no part of which shall be vested in real estate.

SEC. 3. *Be it further enacted*, That the rules, limitations and provisions, which are provided in and by the third section of an act entitled, An act to incorporate the President, Directors and Company of the State Bank, shall be binding on the bank hereby established. *Provided*, that the bond

required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars, and that the number of Directors to be annually chosen shall be nine, and five may constitute a quorum for the transaction of business, and *provided also* that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond the capital stock actually paid in.

Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Nantucket.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act *provided*, their incorporation may thereupon be declared forfeited and void.

Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in the town of Nantucket) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall be verified by oath, or affirmation, before some person competent to administer the same.

Shall exhibit a statement.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank, counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October, in the year of our Lord one thousand eight hundred and twelve, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within twenty days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature, of all banks, that shall be hereafter incorporated within this Commonwealth. And *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Shall pay tax
to Common-
wealth.

Proviso.

Shall loan to
the Common-
wealth.

Proviso.

SEC. 10. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth shall never at any one time, stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Common-
wealth to
have stock.

SEC. 11. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Amount to
be appropri-
ated to loans.

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said bank, shall always be appropriated to loans, to be made to citizens of this Commonwealth, and

wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures, and right of redemption as is by law provided in other cases.

[Approved by the Governor June 23, 1812.]

CHAP. XL.

An Act to incorporate the President, Directors and Company of the Salem Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Joseph Peabody, Nathaniel Sils-
 ber, Ichabod Nichols, Moses Townshend, John Derby,
 Jonathan Neal, and Benjamin Peirce, their associates, suc-
 sors and assigns, shall be, and hereby are created a Cor-
 poration by the name of The President, Directors and
 Company of the Salem Bank, and shall so continue until
 the first day of October, which will be in the year of our Lord
 one thousand eight hundred and thirty one, and by that name
 shall be, and hereby are made capable in law, to sue, and
 be sued, plead and be impleaded, defend and be defended
 in any Courts of Record or any place whatever, and also
 to make, have, and use a common seal, and to ordain
 establish and put in execution such bye-laws, ordinances
 and regulations as to them may appear necessary and
 convenient, for the government of said corporation and
 the prudent management of their affairs. *Provided* such
 bye-laws, ordinances, and regulations, shall in no wise be
 contrary to the constitution and laws of this Commonwealth,
 and the said corporation shall be always subject to the rules,
 restrictions, limitations and provisions herein prescribed.

Persons in-
corporate.

How long to
continue.

Provide.

SEC. 2. *Be it further enacted,* That the capital stock
 of the said corporation shall consist of the sum of Two Capital stock.

hundred thousand Dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first on the first day of October next, the second on the first day of January next after, the third on the first day of April next after, and the fourth on the first day of July next after ; or at such earlier times as the said Stockholders at any meeting thereof may order. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of thirty thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think proper. *Provided however,* That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation ; and *provided further,* that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to fifty thousand dollars.

SEC. 3. *Be it further enacted,* That the rules, restrictions limitations, reservations and provisions, which are provided in and by the third section of an act entitled An act to incorporate the President, Directors and Company of the State Bank shall be binding on the bank hereby established. *Provided* that any Director of the Salem bank now existing may be eligible as a Director of the bank hereby established ; and that the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars, and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also,* that the amount of bills at any time issued from said

May hold estate.

Proviso.

Proviso.

Bond of the Cashier.

bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Salem in the County of Essex.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature
shall have access to vaults
&c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Salem Gazette and in the Essex Register, for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation as the said Stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

May hold
meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation, before some person competent to administer the same.

Shall exhibit
a statement
of accounts.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original

Shall pay
their notes
counterfeit or
not

amount of any note of said bank counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all Banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any Bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

Shall pay tax
to the Com-
monwealth.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank, shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security by a mortgage of real estate, to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures and rights of redemption as is by law prescribed in other cases. *Provided however*, that the said bank may take, receive and hold by assignment, any such mortgages as are already held by the existing Salem Bank, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

Funds how
appropriated.

Proviso.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the capital stock actually paid in at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Com-

Shall loan to
the Common-
wealth.

monwealth with the annual payments of interest, at a rate not exceeding five per centum per annum; *Provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth a sum not exceeding one hundred thousand dollars to be added to the capital stock of said Company subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Common-
wealth may
hold Stock.

[Approved by the Governor June 23, 1812.]

CHAP. XLI.

An Act to incorporate the President, Directors and Company of the Beverly Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Moses Brown, William Burley, Nicholas Thorndike, Joshua Fisher, Abraham Kilham, Nathan Dane, and their associates, successors and assigns, shall be, and hereby are created a Corporation by the name of the President, Directors and Company of the Beverly Bank, and shall so continue until the first day of October which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law to sue and be sued, plead, and be impleaded, defend and be defended, in any courts of record, or in any other place whatever, and also to make, have and use a common seal, and to ordain, establish and put in execution, such bye-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs. *Provided* such bye-laws, or-
dinances and regulations shall in no wise be contrary to

Persons in-
corporated.

May make
bye-laws.

Proviso.

the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Capital stock, SEC. 2. *Be it further enacted,* That the capital stock of the said corporation shall consist of the sum of one hundred and sixty thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first on the first day of October next, the second on the first day of January next after, the third on the first day of April next after, and the fourth on the first day of July next after; or at such earlier times as the stockholders at any meeting thereof may order, and the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the stockholders, their successors and assigns, and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles, on such security as they shall think advisable; *provided however,* that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for or in payment of any debts due to the said corporation. And *provided further,* that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to forty thousand dollars.

when to be paid.

Proviso.

SEC. 3. *Be it further enacted,* That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established, *provided only,* that any director of the Beverly Bank now existing, may be eligible as a director of the bank hereby established, but the bond required to be given

by the cashier shall be in the penalty of twelve thousand dollars, That the number of directors to be annually chosen shall be seven, and four may constitute a quorum for transaction of business. And *provided also*, that the amount of bills at any time issued by said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Beverly. Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined, by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void. Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the members and stockholders of said corporation as soon as may be, at such time and place, as they may see fit (by advertising the same for three weeks successively in the Essex Register and Salem Gazette) for the purpose of making, ordaining and establishing such by-laws, ordinances and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors and such other officers as they shall see fit to choose. May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall be verified by oath or affirmation before some person competent to administer the same. Shall exhibit a statement.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax
to Common-
wealth.

Proviso.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in, *provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax on any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Funds how
appropriated:

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures and right of redemption, as is by law prescribed in other cases. *Provided however*, that the said bank may take, receive and hold by assignment any such mortgages as are already held by the existing bank in the town of Beverly, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as original loan to be made as above directed.

Shall loan to
the Common
wealth.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the capital stock actually paid in

at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest at a rate not exceeding five per centum per annum; *provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in. Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding eighty thousand dollars to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

[Approved by the Governor June 23, 1812.]

CHAP. XXXV.

An Act to incorporate the President, Directors, and Company of the Marblehead Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Nathaniel Hooper, Henry Gallison, Phillip Besome, John Hooper, 4th. John Williams, John Pedrick, 3d. and William Fettyplace, their associates, successors, and assigns, shall be, and hereby are created a corporation by the name of The President, Directors and Company of the Marblehead Bank, and shall so continue from the first day of October next for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any courts of record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of the said corporation and the prudent management of their affairs; *provided* such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Persons incorporated.

Proviso.

Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted,* That the capital stock of the said corporation shall consist of the sum of one hundred and twenty thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first on the first day of October, the second on the first day of January, the third on the first day of April next, and the fourth on the first day of July, which will be in the year of our Lord eighteen hundred and thirteen, or at such earlier times as the said stockholders at any meeting thereof may order. And the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of ten thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however,* that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further* that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to thirty thousand dollars.

SEC. 3. *Be it further enacted,* That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled An act to incorporate the President Directors and Company of the State Bank shall be binding on the bank hereby established. *Provided only,* that any Director of the Marblehead bank now existing may be eligible as a Director of the bank hereby established, that the bond required to be giv-

en by the Cashier, shall be in the penalty of twelve thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transacting business. And *provided also*, that the amount of bills at any time issued from said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Marblehead.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the powers herein granted them or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature
shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein beforenamed, or any three of them are authorized to call a meeting of the members and stockholders of said corporation as soon as may be at such time and place as they may see fit (by advertising the same for three weeks successively in the Essex Register and Salem Gazette,) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call
meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall exhibit
a statement

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank fraudulently altered in the course of its circulation to a larger amount notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth. And *provided further* that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

Amount to
be appropri-
ated to loans.

Amount of
loans.

Security for
loans.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to Citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and rights of redemption as is by law provided in other cases.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital Stock actually paid in, at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth shall never

Shall loan to
the Common-
wealth.

Proviso.

at any one time stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth, a sum not exceeding sixty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

Common-
wealth may
hold stock.

SEC. 13. *Be it further enacted*, That the said bank may take, receive, and hold by assignment, any such mortgages as are already held by the existing bank, in the town of Marblehead, and which may be assigned, and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

[Approved by the Governor June 23, 1812.]

CHAP. XLIII.

An Act to incorporate the President, Directors and Company of the Gloucester Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John Somes, Benjamin K. Hough, William Pearce, James Hayes, William Pearson, Fitzwilliam Sargent, Israel Trask and William Coffin, their associates, successors, and assigns, shall be, and hereby are created a Corporation by the name of 'The President, Directors and Company of the Gloucester Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law to sue, and be sued, plead and be impleaded, defend and be defended, in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish, and put in execution such bye-laws, ordinances and regulations as to them

Persons in-
corporated.

Proviso.

may appear necessary and convenient, for the government of the said corporation, and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Capital
Stock.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of one hundred and twenty thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first on the first day of October next, the second on the first day of January next after, the third on the first day of April next after, and the fourth on the first day of July next after; or at such earlier time as the said Stockholders at any meeting thereof may order. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of twenty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable.

May hold
estate.

Proviso.

Provided however, That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to thirty thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled, An act to incorporate the President, Directors and Company of the State Bank shall be binding on the bank hereby es-

tablished. *Provided only*, that any Director of the Gloucester Bank now existing may be eligible as a Director of the bank hereby established, and that the bond required to be given by the Cashier, shall be given in the penalty of twelve thousand dollars, and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also*, that the amount of bills at any time issued by said bank shall not exceed fifty per cent beyond the capital stock actually paid in.

Proviso.

Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Gloucester.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature shall have access to vaults, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Salem Gazette, and Essex Register, for the purpose of making, ordaining and establishing such by-laws, ordinances, and regulations for the orderly conducting the affairs of said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the

Shall exhibit a statement of accounts.

bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and right of redemption as is by law prescribed in other cases. *Provided however*, that the said bank may take, receive and hold by assignment any such mortgages as are already held by the bank now existing in the town of Gloucester, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the Capital Stock actually paid in at any one time reimbursable, by five annual instalments or at any shorter period at the election of the Commonwealth with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided how-* Shall loan to the Commonwealth.
ever, That the Commonwealth shall never at any one time, stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding forty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

[Approved by the Governor June 23, 1812.]

CHAP. XLIV.

An act to incorporate the President, Directors and Company of the Bedford Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Thomas Hazard, Jun. John Howland, Samuel Rodman, Isaac Howland, Jun. William Rotch, Jun. John Delano, and their associates, successors and assigns, shall be and hereby are created a Corporation, by the name of the President, Directors and Company of the Bedford Bank ; and shall so continue from the first day of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain establish and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and

Persons incorporated.

May make
bye-laws.
Proviso.

convenient, for the government of the said corporation and the prudent management of their affairs. *Provided* such bye-laws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Capital
Stock.

when to be
paid.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of Two hundred thousand Dollars, in gold and silver, divided into shares of one hundred dollars each, one quarter part of the two hundred thousand dollars shall be paid in, on or before the first day of October in the year of our Lord eighteen hundred and twelve, and the other three quarter parts of the said capital stock shall be paid in on or before the first day of July in the year one thousand eight hundred and thirteen. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of twelve thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think proper. *Provided however*, That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation; and *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to fifty thousand dollars.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled An act to incorporate the President, Directors and Company of the State Bank, shall be binding on the bank hereby

established. *Provided only* that any Director of the Bedford bank now existing may be eligible as a Director of the bank hereby established; and that the bond required to be given by the Cashier, shall be in the penalty of twenty thousand dollars, and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also*, that the amount of bills at any time issued from said bank, shall not exceed fifty per cent beyond the capital stock actually paid in.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of New Bedford. Where to be established.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void. Legislature shall have access to vaults &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the town of New Bedford, for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation as the said Stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose. May hold meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in cir- Shall exhibit a statement of accounts.

ulation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation, before some person competent to administer the same.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay
their notes
counterfeitor
not.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October, in the year of our Lord one thousand eight hundred and twelve, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature, of all banks, that shall be hereafter incorporated within this Commonwealth. And *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Shall pay tax
to the Com-
monwealth.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank, shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security by a mortgage of real estate, to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law prescribed in other cases.

Funds how
appropriated.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of

capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however,* That the Commonwealth shall never at any one time, stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in. Proviso.

SEC. 12. *Be it further enacted,* That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth a sum not exceeding seventy five thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof. Commonwealth may be concerned.

[Approved by the Governor June 23, 1812.]

CHAP. XLV.

An Act to incorporate the President, Directors and Company of the Nantucket Pacifick Bank, on the island of Nantucket.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Gideon Gardner, Tristram Hussey, John Swain, Hezekiah B. Gardner, Richard Mitchel, Obed Mitchel, James J. Coffin, Francis Joy, Jethro Mitchel, Jun. Benjamin Coffin, 2d. Peter Hussey, Christopher Mitchel and Edward Cary, Jun. and their associates, successors and assigns, shall be, and hereby are created a Corporation by the name of the President, Directors and Company of the Nantucket Pacifick Bank, on the island of Nantucket, and shall so continue from the first Monday of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Court of Record, or any other place whatever, and also to make, have and use a common seal, and the same at pleasure to break, alter and renew, and to or- Persons incorporated.

How long to continue.

May make bye-laws.

- Proviso. dain, establish and put in execution such bye-laws, ordinances and regulations as to them appear to be necessary and convenient for the government of the said corporation, and the prudent management of their affairs. *Provided*, such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.
- Capital stock, when to be paid. **SEC. 2.** *Be it further enacted*, That the capital stock of said corporation shall consist of one hundred thousand dollars, divided into shares of one hundred dollars each, to be paid in gold and silver, one quarter on or before the first Monday of October next, and the remainder on the first Monday of July, which will be in the year eighteen hundred and thirteen, or as much sooner as the stockholders shall determine; and the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of the stock and profits thereof, which being entered in the books of the said corporation, shall be binding on the stockholders, their successors and assigns.
- Transferring stock, &c. *Provided* that no stockholder shall be allowed to borrow at the said bank until he or she shall have paid in his or her full proportion of the said one hundred thousand dollars, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of ten thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same lands, tenements and hereditaments; and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgages or on execution to any amount as security for, or in payment of any debts due to the said corporation. *Provided further*, that no money shall be loaned nor discounts made, nor shall any bills or promissory notes be issued from said bank until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to twenty five thousand dollars.
- Proviso.
- Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations, provisions, restrictions and reservations which are provided in and by the third section of an act entitled "An act to incorporate the President, Directors, and Company of the State Bank, shall be binding on the bank hereby established. *Provided*, that the bond required to be given by the cashier shall be given in the penalty of twenty thousand dollars; that the number of directors to be annually chosen shall be nine and five may constitute a quorum for the transaction of business, and *provided also*, that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond the capital stock actually paid in.

Cashier shall give bonds.

Proviso.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Nantucket.

Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That it shall be the duty of the directors of said bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of the debts due the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and verified by oath or affirmation, before some person competent to administer the same.

Shall exhibit a statement.

SEC. 7. *Be it further enacted*, That the said corporation shall be liable to pay any bona fide holder the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay their original counterfeited or not

SEC. 8. *Be it further enacted*, That the Commonwealth shall have a right whenever the government thereof shall make provision by law, to subscribe to, and become interested in the capital stock of said bank, by adding thereto a sum not exceeding thirty thousand dollars, subject to the rules, regulations and provisions to be by them established.

Common-wealth to hold Stock.

SEC. 9. *Be it further enacted*, That Gideon Gardner, Jethro Mitchel, and Benjamin Coffin, 2d. herein before named, are authorized to call a meeting of the members and Stockholders of said corporation at such time and place as they shall see fit, (by advertising the same in different parts of the town of Nantucket, three weeks successively,) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations, for conducting the affairs of said corporation as the Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall deem fit to choose.

May call Meetings.

SEC. 10. *Be it further enacted*, That the said corporation, from and after the first Monday of October next, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid shall be required by the Legislature of all the banks, that shall be hereafter incorporated within this Commonwealth: And *provided further*, that nothing herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth whenever they may think proper so to do.

Shall pay a tax to the treasurer of State.

Proviso.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable at five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth

Shall loan to the Commonwealth.

Proviso.

shall never at any one time stand indebted to said corporation without their consent, for a larger sum than twenty per centum of the capital actually paid in.

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures, and rights of redemption as is by law provided in other cases. Amount to be appropriated to loans.

[Approved by the Governor June 23, 1812.]

CHAP. XLVI.

An act to incorporate the President, Directors and Company of the Mechanics Bank in Newburyport.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that John O. Brian, James Prince, William Russell, Joshua Little, William Davis, Abraham Williams, John Bricket, James Horton and Gilman Frothingham, their associates, successors, and assigns shall be, and hereby are created a Corporation by the name of The President, Directors and Company of the Mechanic's Bank, and shall so continue from the first day of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the government of the said corporation and the prudent management of their affairs. *Provided* Persons incorporated.
May make bye-laws.

Proviso.

such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules restrictions, limitations and provisions herein prescribed.

Capital stock,
when to be
paid.

SEC. 2. *And be it further enacted*, That the capital stock of the said corporation shall consist of a sum not less than two hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first, on the first day of October next, the second on the first day of January, the third on the first day of April next, and the fourth on the first day of July, which will be in the year of our Lord one thousand eight hundred and thirteen; and the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of fifty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount as security for, or in payment of any debts due to the said corporation, and *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to fifty thousand dollars.

May hold es-
tate.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled, An act to incorporate the President, Directors and Company of the State Bank, shall be binding on the bank hereby established. *Provided*, that the bond required to be given by the Cashier

shall be given in the penalty of twenty thousand dollars, that the number of Directors to be annually chosen shall be nine, and five may constitute a quorum for the transaction of business. And *provided also* that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond the capital stock actually paid in. Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Newburyport. Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act *provided*, their incorporation may thereupon be declared forfeited and void. Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in two Newspapers printed in the County of Essex, for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose. May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall be verified by oath, or affirmation, before some person competent to administer the same. Shall exhibit a statement.

Shall pay
their bills
counterfeit
or not.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October in the year of our Lord one thousand eight hundred and twelve, shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth. And *provided further* that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Amount to
be appropri-
ated to loans.

Amount of
loans.

Security for
loans.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to Citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and rights of redemption as is by law provided in other cases.

Shall loan to
the Common-
wealth.

Proviso.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital Stock actually paid in, at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth shall never

at any one time stand indebted to said corporation with out their consent for a larger sum than twenty per centum of the capital stock actually paid in.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth a sum not exceeding one hundred and fifty thousand dollars to be added to the capital stock of said Company subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Common-
wealth may
hold Stock.

[Approved by the Governor June 23, 1812.]

CHAP. XLVII.

An Act to incorporate the President, Directors and Company of the Hollowell and Augusta Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Benjamin I. Porter, Nathaniel Dummer and Thomas Agry, their associates, successors and assigns shall be, and hereby are created a Corporation by the name of the President, Directors and Company of the Hollowell and Augusta Bank, and shall so continue until the first day of October which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law to sue and be sued, plead, and be impleaded, defend and be defended, in any courts of record, or in any other place whatever, and also to make, have and use a common seal, and to ordain, establish and put in execution, such bye-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Persons in-
corporated.

May make
bye-laws.

Provide.

Capital stock, SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of one hundred and fifty thousand dollars, in gold and silver, divided into shares of one hundred dollars each, thirty seven thousand and five hundred dollars of which shall be paid in on the first day of October next, and the remaining sum of one hundred and twelve thousand and five hundred dollars on or before the first day of October, eighteen hundred and thirteen, or by instalments in such sums, or at such earlier periods as the stockholders may direct; and the said stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns, and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles, on such security as they shall think advisable; *provided however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for or in payment of any debts due to the said corporation. And *provided further*, that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to thirty seven thousand five hundred dollars.

when to be paid.

May hold estate.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established, *provided only*, that any director of the Hallowell and Augusta Bank now existing may be eligible as a director of the bank hereby established, that the bond required to be given by the cashier shall be given in the penalty of

Bond of the Cashier.

twelve thousand dollars, and that the number of directors to be annually chosen shall be seven, and three may constitute a quorum for the transaction of business. And *provided also*, that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond their capital stock actually paid in, exclusive of the sums due on the amount of deposits.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Hallowell, in the County of Kennebec. Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined, by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void. Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any two of them, are authorized to call a meeting of the members and stockholders of said corporation as soon as may be, at such time and place, as they may see fit (by advertising the same for three weeks successively in the Newspapers printed in Hallowell or Augusta) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors and such other officers as they shall see fit to choose. May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall Shall exhibit a statement.

be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank, counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax
to Common-
wealth.

Proviso.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October, in the year of our Lord one thousand eight hundred and twelve, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in; *provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Funds how
appropriated.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures and right of redemption, as is by law provided in other cases. *Provided however*, that the said bank may take, receive and hold by assignment any such mortgages as are already held by the existing bank in the town of Hallowell, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the capital stock actually paid in at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest at a rate not exceeding five per centum per annum; *provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding seventy five thousand dollars to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Commonwealth may hold estate.

[Approved by the Governor June 23, 1812.]

CHAP. XLVIII.

An Act to incorporate the President, Directors, and Company of the Wiscasset Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Abiel Wood, David Payson, Moses Carlton, Moses Carlton, Jun. William M. Boyd, John Dole, Joseph T. Wood and Nathaniel Martin, their associates, successors, and assigns, shall be, and hereby are created a corporation by the name of The President, Directors and Company of the Wiscasset Bank, and shall so continue from the first day of October next for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any courts of record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws, ordinances, and regulations as to them may appear necessary and convenient for the govern-

Persons incorporated.

ment of the said corporation and the prudent management of their affairs; *provided* such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Capital stock,
when to be
paid.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of a sum not less than two hundred and fifty thousand dollars in gold and silver, divided into shares of one hundred dollars each, twenty five per cent of which sum shall be paid in on or before the first day of October in the year of our Lord one thousand eight hundred and twelve, and the residue thereof shall be paid on or before the first day of July in the year of our Lord one thousand eight hundred and thirteen, at such times and in such instalments as the Stockholders shall determine. And the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of twelve thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further* that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to sixty two thousand five hundred dollars.

May hold real estate.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act, entitled, An act to incorporate the President Directors and Company of the

State Bank shall be binding on the bank hereby established. *Provided only*, that any Director of the Lincoln and Kennebec bank now existing may be eligible as a Director of the bank hereby established, that the bond required to be given by the Cashier, shall be in the penalty of fifteen thousand dollars, and that the number of Directors to be annually chosen shall be nine of which five may constitute a quorum for the transaction of business. And *provided also*, that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Wiscasset.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature, that said corporation have exceeded the power granted them or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation shall thereupon be declared forfeited and void.

Legislature
shall have ac-
cess, &c.

SEC. 6. *Be it further enacted*, That the persons herein beforenamed, or any three of them are authorized to call a meeting of the members and stockholders of said corporation as soon as may be convenient or necessary at such time and place as they may see fit (by advertising the same for three weeks successively in the Portland newspapers,) for the purpose of making, ordaining and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call
meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circu-

Shall exhibit
a statement.

lation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered in the course of its circulation to a larger amount notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October in the year of our Lord one thousand eight hundred and twelve shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all the Banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any Bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

Amount to
be appropri-
ated to loans.

Security of
loans.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and right of redemption as is by law provided in other cases. *Provided however*, that the said bank may take, receive and hold by assignment any such mortgages as are already held by the existing bank in the town of Wiscasset and which may be assigned and taken by agreement between the two corporations, the

amount of which shall be deemed and considered as an original loan to be made as above directed.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital stock actually paid in at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, that the Commonwealth shall never at any one time, stand indebted to said corporation without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan
to the Com-
monwealth.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding one hundred thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Common-
wealth may
hold stock.

[Approved by the Governor June 23, 1812.]

CHAP. XLIX.

An act to incorporate the President Directors and Company of the Taunton Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Simeon Tisdale, Samuel Fales, Joseph Tisdale, Samuel Crocker, Job Godfrey, Jun. Eliphalet Williams, Marcus Morton, John West, James L. Hodges, Nicholas Tillanghast, John Presbry and Jonathan Ingall, their associates, successors and assigns, shall be and hereby are created a corporation by the name of the President, Directors and Company of the Taunton Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and

Persons in
corporated.

hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any courts of record, or any other place whatever, and also to make, have and use a common seal, and to ordain, establish, and put in execution such bye-laws ordinances and regulations as to them may appear necessary and convenient for the government of said corporation, and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of one hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first on the first day of October next, the second on the first day of April next after, the third on the first day of October next after, the fourth on the first day of April next after; or at such earlier time as the Stockholders at any meeting thereof may order. And the Stockholders at their first meeting by a majority of votes may determine the mode of transferring and disposing of said stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the Stockholders, their successors and assigns, until they shall otherwise determine; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of ten thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to said corporation; *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to twenty five thousand dollars.

May make
bye-laws.
Proviso.

Capital
Stock.

when to be
paid.

May hold es-
tate.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions, which are provided in and by the third section of an act entitled, An act to incorporate the President, Directors and Company of the State Bank shall be binding on the bank hereby established. *Provided* that the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars, that the number of Directors to be annually chosen shall be nine, and five may constitute a quorum for the transaction of business. And *provided also*, that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

Proviso.

Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Taunton.

SEC. 5. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten thousand dollars, at any one time reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth with the annual payments of interest, at a rate not exceeding five per cent per annum. *Provided however*, That the Commonwealth shall never at one time, stand indebted to the said corporation without their consent for a larger sum than twenty thousand dollars.

Shall loan to the Commonwealth.

Proviso.

SEC. 6. *Be it further enacted*, That any Committee specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, the incorporation shall thereupon be declared forfeited and void.

Legislature shall have access to vaults, &c.

SEC. 7. *Be it further enacted*, That the persons herein before named or a majority of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same three weeks successively in the New Bedford Mercury, and the New Bedford

May hold meeting.

Gazette, printed in New Bedford, for the purpose of making, ordaining and establishing such bye-laws, ordinances, and regulations for the orderly conducting the affairs of the said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath before some person competent to administer the same.

Common-
wealth to
hold Stock.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

SEC. 10. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount on any note of said bank altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

SEC. 11. *Be it further enacted*, That the said corporation from and after the first Monday of October, in the year of our Lord one thousand eight hundred and twelve, shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth, from and after the said first Monday of October; and *provided further*, that nothing

Proviso.

herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth whenever they may think proper so to do.

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans subject to such forfeitures, and right of redemption as is by law provided in other cases.

Amount to be appropriated to loans.

Amount of loans.

Security for loans.

[Approved by the Governor June 23, 1812.]

CHAP. L.

An act to incorporate the President, Directors and Company of the Newburyport Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William Bartlett, Joshua Carter, Thomas M. Clark, Abner Wood, Ebenezer Wheelwright, their associates, successors and assigns, shall be and hereby are created a Corporation, by the name of the President, Directors and Company of the Newburyport Bank; and shall so continue from the first day of October next, to the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain establish and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the

Persons incorporated.

May make bye-laws.

government of the said corporation and the prudent management of their affairs. *Provided* such bye-laws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, and provisions herein prescribed.

Capital
Stock.

When to
paid in.

May hold es-
tate.

Proviso.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of three hundred and fifty thousand dollars, in gold and silver, divided into shares of one hundred dollars each, to be paid in at four equal instalments, the first on the first day of October next, the second on the first Monday of January, the third on the first Monday of April, and the fourth on the first day of July which will be in the year of our Lord eighteen hundred and thirteen, or at such earlier times as the said Stockholders at any meeting thereof may order. And the Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors, and assigns, lands, rents, tenements, and hereditaments to the amount of fifty thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution to any amount as security for, or in payment of any debts due to the said corporation; and *provided further*, that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to ninety thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act entitled An act to incorporate the President, Directors and Company

of the State Bank, shall be binding on the bank hereby established *Provided* that any Director of the Newburyport bank now existing may be eligible as a Director of the bank hereby established; that the bond required to be given by the Cashier, shall be given in the penalty of ten thousand dollars, and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also*, that the amount of bills at any time issued from said bank, shall not exceed fifty per cent beyond the capital stock actually paid in.

Proviso.

Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Newburyport, in the County of Essex.

Where to be established.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature shall have access to vaults, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in all the newspapers printed at Newburyport for the time being, for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation as the said Stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the

Shall exhibit a statement of accounts.

capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand, which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation, before some person competent to administer the same.

Shall pay
their notes
counterfeited
not.

SEC. 8. *Be it further enacted*, that the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered, in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax
to Common-
wealth.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature, of all banks that shall be hereafter incorporated within this Commonwealth. And *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Proviso.

Funds how
appropriated.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank, shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security by a mortgage of real estate, to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases. *Provided however*, that the said Bank may take, receive and hold by assignment any such mortgages as are already held by the bank now existing in

the town of Newburyport, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be considered as an original loan to be made as above directed.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per centum per annum. *Provided however*, That the Commonwealth shall never at any one time, stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to
the Common-
wealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth a sum not exceeding one hundred and fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Common-
wealth may
be concern-
ed.

[Approved by the Governor June 23, 1812.]

CHAP. LI.

An Act to incorporate the President, Directors and Company of the Kennebeck Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John Chandler, Benjamin Dearborn, Ariel Mann, Ebenezer T. Warren, and Joshua Gage, their associates, successors and assigns, shall be, and hereby are created a Corporation by the name of The President, Directors and Company of the Kennebeck Bank, and shall so continue from the first day of October next, to the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one,

Persons in-
corporated.

How long to
continue.

and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever, and also to make, have and use a common seal, and the same at pleasure to break alter and renew, and to ordain, establish, and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the government of the said corporation and the prudent management of their affairs. *Provided* such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. Be it further enacted, That the capital stock of the said corporation shall consist of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in, one fourth part thereof on the first day of October next, and the remaining sums on or before the first day of July, in the year of our Lord eighteen hundred and thirteen, or as much sooner, and in such instalments, as the stockholders may direct; and the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and profits thereof, which being entered in the books of the said corporation, shall be binding on the stockholders, their successors and assigns, until they shall otherwise determine and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of twelve thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same; and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however,* that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution to any amount as security for, or in payment of any debts due to the said corporation. *Provided further,* that no money shall be loaned nor discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and

existing in gold and silver in their vaults shall amount to twenty five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations, provisions, restrictions and reservations which are provided in and by the third section of an act entitled "An act to incorporate the President, Directors, and Company of the State Bank, shall be binding on the bank hereby established. *Provided*, that the bond required to be given by the cashier, shall be given in the penalty of twenty thousand dollars; that the number of directors to be annually chosen shall be nine and five may constitute a quorum for the transaction of business, and *provided also*, that the amount of debts at any time due from said bank shall not exceed fifty per cent beyond the capital stock actually paid in.

Cashier shall give bonds.

Proviso.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Augusta.

Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their corporation shall thereupon be declared forfeited and void.

Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively in the American Advocate printed at Hallowell) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations, for the orderly conducting the affairs of the said corporation as the said Stockers shall deem necessary, and for the choice of the first board of directors, and such other officers as they shall see fit to choose.

May call Meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank to transmit to the Governor and Council of this Commonwealth for the time being, once

Shall exhibit a statement

in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall be verified by oath before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first day of October, in the year of our Lord eighteen hundred and twelve shall pay by way of tax to the treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth: And *provided further*, that nothing herein contained shall be construed to impair the rights of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to Citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars; and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures, and right of redemption as is by law provided in other cases.

Shall exhibit
a statement.

Shall pay
their notes
counterfeit
or not.

Shall pay a
tax to the
treasurer of
state.

Proviso.

Funds how
appropriated.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at the rate of five per centum per annum. *Provided however*, That the Commonwealth shall never at any one time, stand indebted to said corporation without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to
the Common-
wealth.

Proviso.

[Approved by the Governor June 23, 1812.]

CHAP. LII.

An act to incorporate the President, Directors and Company of the Saco Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, that Thomas Cutts, Jun. Thomas, G. Thornton, Foxwell Cutts, Richard Cutts, Daniel Granger, Samuel Peirson, Cyrus King, Joseph Lealand, Daniel Cleaves, Samuel Hearly, James B. Thornton, Dominicus Cutts, Samuel Moody, Tristram Hooper, Samuel P. Abbot, Jere Bradbury, William P. Preble, Jonathan Tucker, and Thomas Cutts, their associates, successors, and assigns shall be, and hereby are created a Corporation by the name of The President, Directors and Company of the Saco Bank, and shall so continue from the first day of October next, for the term of nineteen years next ensuing, and by that name shall be, and hereby are made capable in law, to sue, and be sued, plead and be impleaded, defend and be defended in any Courts of Record or any other place whatever, and also to make, have, and use a common seal, and to ordain, establish and put in execution such bye-laws, ordinances and regulations as to them may appear necessary and convenient, for the government of the said corporation and the prudent management of their affairs. *Provided*

Persons in-
corporated.

May make
bye-laws.

Proviso. such bye-laws, ordinances and regulations, shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Capital stock,
when to be paid. **SEC. 2.** *Be it further enacted,* That the capital stock of the said corporation shall consist of the sum of one hundred and twenty thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments, the first, on the first day of October next, the second on the first day of January next following, the third on the first day of April next after, and the fourth on the first day of July, which will be in the year of our Lord one thousand eight hundred and thirteen; or at such earlier time as said Stockholders at any meeting may direct; and the said Stockholders at their first meeting shall by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the Stockholders, their successors and assigns, and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors, and assigns, lands, tenements, and hereditaments, to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles on such security as they shall think advisable. *Provided however,* That nothing herein contained, shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount as security for, or in payment of any debts due to the said corporation, and *provided further,* that no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to thirty thousand dollars.

May hold estate.

Proviso.

SEC. 3. *Be it further enacted,* That the rules, restrictions, limitations, and provisions, which are provided in and by the third section of an act to incorporate the President, Directors and Company of the State Bank, shall be bind-

ing on the bank hereby established. *Provided only*, that any director of the Saco Bank may be eligible as a director of this bank hereby established, that the bond required to be given by the Cashier shall be given in the penalty of twenty thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. And *provided also* that the amount of bills at any time issued from said bank shall not exceed fifty per cent beyond their capital stock actually paid in. Cashier shall give bonds.

SEC. 4. *Be it further enacted*, That said Bank shall be established and kept in the town of Saco. Where to be established.

SEC. 5. *Be it further enacted*, That any committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of the said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature, that said corporation have exceeded their power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act *provided*, their incorporation may thereupon be declared forfeited and void. Legislature shall have access, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them are authorized to call a meeting of the members and Stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in the Eastern Argus,) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said Stockholders shall deem necessary, and for the choice of the first board of directors, and such other officers as they may see fit to choose. May call meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said Bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation and of debts due to the same, of the monies deposited therein, of the notes in Shall exhibit a statement.

circulation, and of the gold, silver, and copper coin, and the bills of other banks on hand, which statement shall be signed by the directors, and attested by the cashier, and shall be verified by oath, or affirmation, before some person competent to administer the same.

Shall pay their bills counterfeit or not. SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay a tax to the Treasurer of State. SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next, shall pay by way of tax to the Treasurer of this Commonwealth for the use of the same, within ten days after each semi-annual dividend, the half of one per cent, on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, That the same tax payable in manner aforesaid, shall be required by the Legislature of all banks, that shall be hereafter incorporated within this Commonwealth. And *provided further* that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Amount to be appropriated to loans. SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures, and rights of redemption as is by law provided in other cases. *Provided however*, that said Bank, may take, receive, and hold by assignment, any such mortgages as are already held by the existing bank in the town of Saco, and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

Amount of loans. Security for loans. Proviso.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the capital Stock actually paid in, at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest at a rate not exceeding five per centum per annum; *provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation without their consent for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth, a sum not exceeding sixty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Commonwealth may hold Stock.

[Approved by the Governor June 23, 1812.]

CHAP. LVIII.

An Act to incorporate the President, Directors and Company of the Plymouth Bank.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That William Davis, Barnabas Hedge, Jun. William Jackson, Robert Roberts, Nathaniel Goodwin, William Sturtevant, Silvanus Lazell, and their associates, successors and assigns shall be, and hereby are created a corporation by the name of the President, Directors and Company of the Plymouth Bank, and shall so continue until the first day of October which will be in the year of our Lord one thousand eight hundred and thirty one, and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or in any other place whatever, and also to make, have and use a common seal, and to ordain, establish and put in execution, such bye-

Persons incorporated.

May make bye-laws.

laws, ordinances and regulations, as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs.

Proviso.

Provided such bye-laws, ordinances and regulations shall in no wise be contrary to the Constitution and laws of this Commonwealth, and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Capital stock,

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of one hundred thousand dollars in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments the first on the first day of October next, the second on the first day of January next, the third on the first day of April next, and the fourth on the first day of July next after, and as much sooner as the stockholders shall direct. And the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation shall be binding on the stockholders, their successors and assigns; and the said corporation are here-

when to be paid.

May hold estate.

by made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of ten thousand dollars, and no more, at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles on such security as they shall think advisable. *Provided however*, that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution to any amount as security for, or in payment of any debts due to the said corporation, and *provided further* that no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank until the capital subscribed and actually paid in, and existing in gold and silver in their vaults shall amount to twenty five thousand dollars.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, reservations, restrictions, limitations, and provisions, which are provided in and by the third section of an act, entitled, An act to incorporate the President Directors and Company of the

State Bank, shall be binding on the bank hereby established. *Provided only*, that any Director of the Plymouth bank now existing may be eligible as a Director of the bank hereby established, that the bond required to be given by the Cashier, shall be in the penalty of ten thousand dollars, that the number of Directors to be annually chosen shall be seven and four may constitute a quorum for transaction of business. And *provided also*, that the amount of bills at any one time issued by said bank shall not exceed fifty per cent beyond their capital stock actually paid in.

Cashier shall
give bonds.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Plymouth.

SEC. 5. *Be it further enacted*, That any Committee specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature, that said corporation have exceeded the power herein granted them or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature
shall have ac-
cess, &c.

SEC. 6. *Be it further enacted*, That the persons herein beforenamed, or any three of them are authorized to call a meeting of the members, and stockholders of said corporation as soon as may be, at such time and place as they may see fit (by advertising the same for three weeks successively in the Columbian Centinel) for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of directors, and for such other officers as they shall see fit to choose.

May call
meetings.

SEC. 7. *Be it further enacted*, That it shall be the duty of the directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due the same, of the monies deposited therein, of the notes in circulation, and of the gold, and silver and copper, the bills of other banks on hand, which statement shall be signed by

Shall exhibit
a statement.

the directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder the original amount of any note of said bank counterfeited or altered in the course of its circulation to a larger amount notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation from and after the first Monday of October next shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall at the time of said dividend have been actually paid in. *Provided however*, that the same tax payable in manner aforesaid, shall be required by the Legislature of all Banks that shall be hereafter incorporated within this Commonwealth, and *provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any Bank already incorporated under the authority of this Commonwealth whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures, and rights of redemption as is by law prescribed in other cases. *Provided however*, that the said bank may take, receive and hold by assignment, any such mortgages as are already held by the existing bank in the town of Plymouth and which may be assigned and taken by agreement between the two corporations, the amount of which shall be deemed and considered as an original loan to be made as above directed.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

Amount to
be appropri-
ated to loans.

Security of
loans.

Proviso.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money not exceeding ten per centum of the amount of the capital stock actually paid in at any one time, reimbursable by five annual instalments or at any shorter period at the election of the Commonwealth, with the annual payments of interest at a rate not exceeding five per centum per annum; *provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to
the Common-
wealth.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right whenever the Legislature shall make provision by law to subscribe on account of the Commonwealth a sum not exceeding thirty thousand dollars to be added to the capital stock of said company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Common-
wealth may
hold Stock.

[Approved by the Governor June 23, 1812.]

CHAP. LIV.

An Act to set off the town of Chester in the County of Hampden, from a District heretofore created in the County of Hampshire for the Registry of Deeds, and to incorporate the same for that purpose with the said County of Hampden.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the first day of August next, the town of Chester, in the County of Hampden, shall cease to be part of a District in the County of Hampshire for the Registry of Deeds and shall be annexed to and form a part of the County of Hampden, for that purpose, and from and after the said first day of August next, the said inhabitants of the town of Chester in every respect touching the Registry of Deeds shall have the same rights and privileges and be subject to the same duties and obligations in the County of Hampden, as the other inhabitants

of said County by law will have and be subject to, any law to the contrary notwithstanding.

[Approved by the Governor June 24, 1812.]

CHAP. LV.

An act authorizing the sale of ministry lands in the town of Sumner in the County of Oxford, by which to raise a fund for the support of the ministry in said town.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Benjamin Heald, Timothy Cobb, Zebadiah Austin, Sylvanus Stephens, Joseph Robinson, John Briggs and Hezekiah Stetson, be, and they are hereby appointed Agents and Trustees of the Ministry lands in the town of Sumner.

Trustees appointed.

SEC. 2. *Be it further enacted,* That the said agents and trustees be and they are incorporated into a body politic by the name of the Trustees of the Ministerial funds in Sumner, and they and their successors shall be and continue a body politic and corporate by that name for ever, and shall have a common seal, subject to alteration at their pleasure, may sue, and be sued, prosecute and be prosecuted, defend, and be defended in all actions, to final judgment and execution by the name aforesaid.

Empowered to sell &c.

SEC. 3. *Be it further enacted,* That the said Trustees, or a major part of them be, and they are hereby authorized and empowered to sell and convey in fee simple, all or any part of the ministerial lands belonging to the said town of Sumner, and to make, execute and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds subscribed by their President and countersigned by their Clerk under and by the direction and order of the said Trustees, or a major part of them with the seal of said corporation thereto affixed, shall be good and valid in law to pass and convey the fee simple of said lands from said town to the purchaser or purchasers thereof, to all intents and purposes whatsoever.

SEC. 4. *Be it further enacted,* That said Trustees shall annually in the month of March from among their number

elect a President and also a Clerk, the duty of the Clerk shall be to record the doings of said Trustees at any of their meetings, in a book or books to be kept for that purpose, and he shall be sworn to the faithful discharge of his duty, and a record of his being so sworn shall be made in the books of said corporation, and the said Trustees shall also in the month of March annually, choose a Treasurer whose duty it shall be to receive and apply the monies herein after mentioned in the manner and for the purposes as is and are herein after directed.

SEC. 5. *Be it further enacted*, That the number of said Trustees shall at no time be more than seven nor less than five, and four of their number shall be necessary to constitute a quorum for transacting the business of said corporation, and whenever any vacancy shall happen by death or otherwise in the office of any of the Trustees aforementioned, it shall be the duty of the Clerk of the corporation within thirty days next after to give notice thereof to the Selectmen of the said town of Sumner, and the said selectmen shall in their next warrant for a meeting of the inhabitants of said town, insert an article for the choice of a Trustee or Trustees to fill said vacancy or vacancies who shall be chosen in such meeting in the same way and manner as the Selectmen of towns are by law to be chosen, and the inhabitants of said town by major vote, at their annual March meeting in any year upon the written complaint of the said corporation, and not otherwise, may remove any Trustee, who through age, infirmity, or other cause may become unfit or incapable of discharging his duty, and shall thereupon supply the vacancy so made by a new choice in manner aforesaid, from among the inhabitants of said town of Sumner.

SEC. 6. *Be it further enacted*, That the monies arising from the sale of said ministry lands shall as soon as may be, be loaned on interest and such loans shall be secured by mortgage of real estate to the full value of the estate sold or money loaned or by two or more sufficient sureties with the principal, and the said interest to be annually applied to the support of the ministry in said town, and each religious society shall draw their proportionable part of said interest according to the valuation of the said town to be applied as aforesaid: *Provided* always it shall never be in the power of the town aforesaid to alienate or in any way

Elect officers:

Number of
Trustees.Vacancies
how filled.Monies how
appropriated.

Proviso.

dispose of or interfere with the fund or principal, but the said Trustees shall exhibit or cause to be exhibited to said town at its annual meeting in March or April, a regular and fair statement of their doings.

Treasurer
shall give
bonds.

SEC. 7. *Be it further enacted*, That the Treasurer of said Trustees, shall give bond with sufficient sureties to the said town of Sumner, conditioned for the faithful performance of his duty, and for a faithful application and appropriation of all the monies which may come to his hand conformable to the true intent and meaning of this act.

SEC. 8. *Be it further enacted*, That any justice of the peace for the County of Oxford upon application made to him by three of the said Trustees, is authorized to issue his warrant to one of the trustees before named requiring him to notify and warn the first meeting of said trustees at such convenient time and place as shall be appointed in said warrant to organize the corporation by the appointment of its officers.

[Approved by the Governor June 24, 1812.]

CHAP. LVI.

An act to authorize the several Banks in this Commonwealth to issue bills of a less denomination than five dollars.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, and during the pleasure of the Legislature, The President and Directors of all the Banks incorporated, or hereafter to be incorporated under the authority of the Legislature of this Commonwealth, shall have the power to issue and emit bills of the denominations of one two and three dollars to the amount of ten per centum of their several Capital Stocks actually paid in, any thing in their respective acts of incorporation to the contrary notwithstanding. *Provided however*, that this privilege shall not be construed to authorize the said Banks, to owe or issue bills or promises to any greater amount than by their respective acts of Incorporation they are already, or hereafter may be privileged to owe or issue.

[Approved by the Governor June 24, 1812.]

CHAP. LVII.

An act to enable certain banks in this Commonwealth to settle and close their concerns.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all banks incorporated under the authority of this Commonwealth, whose corporate powers are by law limited to, or at any time before the last day of October next, shall be and continue bodies corporate subject to the obligations, and with the rights and privileges belonging to them, except as is herein after provided, until the first Monday of October which will be in the year of our Lord one thousand eight hundred and sixteen, and no longer, for the sole purpose of enabling said banks gradually to settle and close their concerns, and divide their Capital Stock.

SEC. 2. *Be it further enacted,* That from and after the first Monday of October next, it shall not be lawful for either of the banks whose charters will expire as aforesaid, nor for any person acting in the behalf of them or either of them in the capacity of President, Directors, Trustees, Agents or otherwise to make any new loan of any monies in behalf of said banks, nor to issue or put into circulation any bank bills, post notes, checks, or other securities for money, for or on account of the said Banks or either of them, or of the Stockholders of them, nor to contract any new debt or debts, except such as in the ordinary course of business may be necessary for the salaries of their officers, and contingent expenses incident thereto, nor to receive any but special deposits, nor any notes for collection; *provided* always that the said banks may during the term aforesaid discount any notes bonds or mortgages which may be presented in lieu of notes bonds or mortgages due or growing due to them on said first Monday of October next, or which may be due or growing due to them before the last day of October which will be in the year of our Lord one thousand eight hundred and sixteen.

SEC. 3. *Be it further enacted,* That it shall be and hereby is declared to be the duty of the President and Direc-

tors of said banks respectively from and after the first Monday of October next, to adopt all proper measures for bringing the concerns of said bank to a close as speedily as can be effected without manifest inconvenience to the public ; and if the President and Directors of said banks or either of them, or any person or persons acting as agents or trustees or otherwise in behalf of the Stockholders of said banks or either of them, shall after said first Monday of October next, presume to make, or consent to any new loan of monies, or to issue or to put into circulation any bank bills, post notes, checks or other securities, or the promises for the payment of money for or on account of said Stockholders respectively or shall discount any notes, bonds, or mortgages except such as may be offered in lieu or renewal in part or in whole of notes or other securities which shall be then or afterwards due, or growing due to said bank, or shall permit specie or cash to be deposited in the vaults of the said banks except such as may belong to the Stockholders thereof, or shall receive any notes or securities for collection, except for monies due or growing due to said banks, every person by whose procurement, privity or consent, any such loan, issue of securities, discount, deposit or receipt of notes for collection contrary to the true intent and meaning of this act, shall be permitted, or done, shall forfeit and pay for each offence the treble value of all sums so loaned, issued, discounted, deposited or left for collection, to be recovered before any Court proper to try the same, one half to the use of the person informing, the other half to the use of the Commonwealth.

[Approved by the Governor June 24, 1812.]

CHAP. LVIII.

An act to empower the Selectmen of the towns of Weymouth and Braintree to appoint Engine men.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Selectmen of the towns of Weymouth and Braintree be, and hereby are, respectively authorized and empowered to nominate and appoint, as soon as may be, after the passing of this act, and ever

after, in the month of March annually, so long as there shall be a good engine at or near the brook running on the borders of the towns of Weymouth and Braintree, commonly called Smelt brook, any number of suitable persons, not exceeding twenty one in both towns, a majority of whom shall always be of the inhabitants of Weymouth, to be one company of engine men, to take charge of and manage said engine, who shall be subject to the same duties, and vested with the same powers, and entitled to the same rights, privileges and exemptions that other engine men now by law are.

[Approved by the Governor June 26, 1812.]

CHAP. LIX.

An act in addition to an act, entitled “an act to authorize Jonathan Wilson and others to build a bridge over the river Passagassawaukeag in the town of Belfast.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That “the Proprietors of the East bridge, in Belfast” shall be allowed to demand and receive toll at the following rates, viz. for every curricule twenty five cents; for every phaeton, or other four wheel pleasure carriage, on springs, drawn by two horses, thirty cents; and for every stage coach, chariot, coach, or coachee, drawn by four horses, forty cents. Rates of toll

[Approved by the Governor June 26, 1812.]

FINIS.

COMMONWEALTH OF MASSACHUSETTS.

By this I certify, that, in conformity to a resolve of the Legislature of the 16th. of January, 1812, I have examined the printed copies of the laws contained in this pamphlet, and find, by comparing them with the original acts passed the Session, commencing the 26th. of May, and ending the 27th. of June, 1812, that they are correct, excepting in the instances following. viz. Page 6. 15th. line from the top, for "direction," read *discretion*; page 12. 9th. line from the bottom, after "judicial," read *court*; page 13. 5th. line from the top, for "22" read 18; page 18, 2d. line from the bottom, dele "away;" page 44. 2d. line from the top, for "or" read *on*; 8th. line from the top, for "23d." read 22d. page 48. 7th. line from the bottom, dele "certain;" page 59. 1st. line after "October" read *next*.

Attest, ALDEN BRADFORD, { *Secretary of the
Commonwealth.*

August 28, 1812.

L A W S

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THE SESSION,

COMMENCING ON THE

FOURTEENTH, AND ENDING ON THE 24th DAY OF OCTOBER,

ONE THOUSAND EIGHT HUNDRED AND TWELVE.

CHAP. LX.

An Act to incorporate Stephen Newell and others, by the name of The Sturbridge Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Stephen Newell, John Plimpton, Eleazer Rider, Zenas L. Leonard, Moses Fisk, Jephtha Plimpton, Comfort Freeman, Nathaniel Rider, Ziba Plimpton, Franklin Rider, and Moses Newell, together with such others as may hereafter associate with them, and their successors and assigns, be, and they are hereby made a Corporation, by the name of The Sturbridge Manufacturing Company, for the purpose of manufacturing Wool and Cotton in the town of Sturbridge, in the county of Worcester; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act passed the third day of March, eighteen hundred and nine, entitled "An Act defining the general powers and duties of Manufacturing Corporations."*

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity, may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactory of Wool and Cotton, in their various branches, in said town of Sturbridge.

[Approved by the Governor, Oct. 20, 1812.]

CHAP. LXI.

An Act to incorporate Joseph Holmes, Jun. and others, by the name of The Jones' River Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Joseph Holmes, Jun. Isaac Bartlett, George Russell, Melzar Adams, Judah Washburn, Jesse Reed, Richard F. Johnson, Robert M'Lauthlin, Jun. Pelham Holmes, Lemuel Bryant, Ezra Weston and Son, Abishai Stetson, Joseph White, and Charles Holmes, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Jones' River Manufacturing Company, for the purpose of manufacturing Cotton and Wool at Kingston, in the county of Plymouth, and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An Act, defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of Cotton and Wool at Kingston aforesaid.

[Approved by the Governor, Oct. 20, 1812.]

CHAP. LXII.

An Act incorporating certain persons by the name of The Hingham Woollen Manufactory.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Martin Lincoln, Samuel Norton, both of Hingham, in the county of Plymouth, Thomas Thaxter of Boston, in the county of Suffolk, Joshua Thaxter, Benjamin Jones, David Andrews, Jun. Samuel Norton, Jun. Jerome Cushing, and Caleb Andrews, all of Hingham aforesaid, with such as have already associated, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Hingham Woollen Manufactory, for the purpose of manufacturing Woollen Cloths; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act made and passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An Act, defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said Corporation may be lawfully seized and possessed of such real estate as may be necessary and convenient for establishing and carrying on the said manufactory, and also of as large a personal estate as shall be actually employed therein: *provided* such real estate shall not exceed the value of twenty thousand dollars, and the personal estate one hundred thousand dollars.

Value of es-
tate.

[Approved by the Governor, Oct. 23, 1812.]

CHAP. LXIII.

An Act to establish The Magnesia Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That David Thacher, William Dunn, *Persons in-
corporated.*

Lothrop R. Thacher, and Benjamin Gorham, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made and constituted a body corporate and politic, by the name of The Magnesia Company, for the purpose of manufacturing Magnesia in this Commonwealth; and for that purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act, entitled "An Act, defining the general powers and duties of Manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Value of estate.

SEC. 2. *Be it further enacted*, That the said Corporation shall and may lawfully hold and possess such real estate, not exceeding thirty thousand dollars, and personal estate not exceeding two hundred thousand dollars, as may be necessary and convenient for carrying on the aforesaid manufactory.

[Approved by the Governor, Oct. 23, 1812.]

CHAP. LXIV.

An Act to change the names of certain persons therein mentioned.

Names changed.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ebenezer Stoddard of Salem, in the county of Essex, trader, shall be allowed to take the name of William Couillard Stoddard; and that Moses Smith Fox of Williamsburg, in the county of Hampshire, yeoman, shall be allowed to take the name of Augustine Washington Fox; and the said persons, from the time of the passing this act, shall be called and known by the names which by this act they are severally allowed to take as aforesaid, and the same shall be considered as their only proper and legal names.

* [Approved by the Governor, Oct. 24, 1812.]

CHAP. LXV.

An Act to incorporate The Maine Cotton and Woollen Factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Jonathan Page, Robert Eastman, Samuel Page, James Jones, Daniel Stone, Nahum Houghton, David C. Magoon, and John B. Swanton, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Maine Cotton and Woollen Factory Company, for the purpose of manufacturing Cotton and Wool in the town of Brunswick, county of Cumberland, and for the purpose aforesaid shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An Act, defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate not exceeding one hundred and fifty thousand dollars, as may be necessary and convenient for carrying on the manufactory of Cotton and Wool in said town of Brunswick.

Value of estate.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXVI.

An Act to incorporate The Chapel Congregational Society in Portland.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That James Jewett, Samuel Emery, Joseph D. Learned, William M'Lellan, Jun. their associates and successors, be, and they are hereby incorporated

Persons incorporated.

and made a body politic and religious society, by the name of The Chapel Congregational Society in Portland ; and by that name may sue and be sued, and shall have and be invested with all the powers, privileges, and immunities to which other religious Corporations in this Commonwealth are entitled by law, and shall be capable of purchasing and holding estate, real or personal, to any amount ; the annual income of which shall not exceed five thousand dollars, exclusive of their Meeting-house and the land whereon the same may stand.

Society, how
authorized
to raise money.

SEC. 2. *Be it further enacted*, That the said Society be, and they are hereby authorized and empowered to raise, from time to time, by a tax upon the pews in their said Meeting-house, or upon the polls of the male members thereof, being twenty-one years of age, or both, as said Society may think proper, such sum or sums of money, for the building or repairing their Meeting-house, settling and maintaining a minister, and defraying all other expenses of public worship, with incidental charges as they may agree upon. And when any tax as aforesaid shall be assessed upon the pews, the Society shall cause a valuation thereof to be made by the assessors of the Society, so often as the Society may think proper. And the said Assessors shall number and appraise the pews respectively, according to their situation and rank ; and shall make a list of such valuation, and shall assess and apportion the sums voted to be raised by said Society upon said pews, according to the last valuation thereof as aforesaid, and shall deliver an attested copy of the same to the clerk of the society, who shall make and keep a record thereof, for the use and inspection of said society. And the said assessors shall also assess and apportion all other taxes voted to be raised by said Society, and deliver a copy thereof to the said clerk, to be recorded as aforesaid.

Penalty for
neglecting to
pay taxes.

SEC. 3. *Be it further enacted*, That whenever any owner or occupier of any pew in said meeting house shall neglect, or refuse to pay the tax or taxes assessed upon their pew or pews, the Collector of any such tax, to whom the same is committed, shall have power, and he is hereby fully authorised to demand and receive the same of any such owner or occupant thereof ; and if payment of such tax is neglected to be made for thirty days after notice given, and demand made by any such Collector as

aforesaid, of the owners or occupants when known, and living in said town, or by an advertisement printed in one of the public Newspapers published in said town, or posted upon the door of said meeting-house, when the owners or occupants are unknown, or not living in said town, (of all which the Collector's oath shall be sufficient evidence ;) Manner of selling pews. such Collector shall have power to sell such pew or pews at public vendue to the highest bidder—notice being given of the time and place of sale in manner as aforesaid, and of the pew or pews to be sold, and the number of the same, four days at least before the time of such sale, and after the expiration of said thirty days. And such Collector shall have power, if he see fit, to adjourn such sale from time to time, not exceeding three times, nor beyond thirty days from the first day of sale : and shall also make and execute a deed of every such pew thus sold, which deed shall be recorded in the town Clerk's office, and also by the clerk of said society. Collector to make and execute a deed. And such deeds shall completely vest all such owners interested in such pew or pews in the purchaser, together with the lands thereunto attached in said society ; and the overplus, if any, when the tax or taxes are deducted, and all the legal costs of sale, shall be immediately paid over to the owner.

SEC. 4. *Be it further enacted*, That the Collectors of said society shall receive suitable warrants for the collection of any such tax from the Assessors, and shall have the same powers to collect the taxes of said society, as Collectors of town taxes have by law ; and shall observe the same directions in collecting and paying over the money as town Collectors are bound to observe. Collector to receive warrants.

SEC. 5. *Be it further enacted*, That all persons belonging to said society, who usually attend public worship in the same, and who have been taxed therein, shall, for all religious purposes, be considered as members of said Society, and entitled to vote at any meeting of the same, except when the property of the Society is involved. Membership And in every other question which involves the property of said Society, no person shall be considered a legal voter, but actual proprietors, or their agents, legally authorized. And the proprietor or proprietors of each pew in said house shall be entitled to one vote for each pew upon all such questions.

Manner of
leaving the
Society.

SEC. 6. *Be it further enacted*, That when any member of said Society shall wish to withdraw from the same, he shall leave a written notification of such intention with the clerk of said Society, which shall exempt such member from paying any poll tax in said Society which may be assessed after the leaving such notification; but shall not exempt such member from paying any such tax previously assessed. And the Society may sue for and recover the same, in like manner as other taxes are recoverable by law.

SEC. 7. *Be it further enacted*, That all the acts and doings of said society, previous to the passing of this act, be, and the same are hereby rendered valid and binding in law upon the members thereof in their corporate capacity.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXVII.

An Act to incorporate The First Universal Christian Society in Brunswick.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Lemuel Swift, James Jones, Jonathan Eastman, John Lee, James R. Hammon, Charles Stetson, James Cary, Joseph Combs, Samuel Page, Roger Merrill, Robert Eastman, Harvey Stetson, Burt Townsend, James Merrill, John Marston, Samuel S. Cummins, Abner Pratt, Stephen Lee, John Dearing, Jabez Perkins, Joseph Kimball, Elijah Hall, Edmund Pray, John Field, Edward Raymond, Edmund Mountfort, Samuel S. Cummins, Nathaniel Badger, Benjamin Wells, Joseph Dunlap, Johnson Hall, Samuel Anderson, Joseph Lee, E. H. Goss, with their families and estates, together with such others as may hereafter associate with them or their successors, be, and they hereby are incorporated into a religious Society, by the name of The First Universal Christian Society in Brunswick, with all the powers, privileges, and immunities, and subject to all the duties to which other parishes or religious Societies are entitled or subjected, by the Constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That any Justice of the Peace in the county of Cumberland, be, and hereby is authorized to issue his warrant, directed to some suitable person who is a member of said Universalist Society, requiring him to warn and notify the members thereof to meet at such time and place in said town of Brunswick as shall be directed in said warrant, to choose such officers as parishes and other religious Societies in this Commonwealth are by law authorized to choose in the month of March or April annually.

Justice to issue warrant:

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXVIII.

An Act amendatory of an act, entitled, "An act to incorporate The Christian Monitor Society."

WHEREAS the name given to the Corporation created by the act entitled, "An act to incorporate The Christian Monitor Society," is not the name intended by the persons thereby incorporated, and they having in their corporate capacity, petitioned that the said name be altered : therefore,

Preamble;

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of the said act as gives the corporation, thereby created, The name of the Christian Monitor Society be, and the same is hereby repealed; and that the said corporation be henceforth known by the name of The Society for Promoting Christian Knowledge, Piety and Charity.

Name altered.

[Approved by the Governor, Oct, 24, 1812.]

CHAP. LXIX.

An Act to incorporate The American Antiquarian Society.

Preamble.

WHEREAS the collection and preservation of the antiquities of our country, and of curious and valuable productions in art and nature, have a tendency to enlarge the sphere of human knowledge, aid the progress of science, perpetuate the history of moral and political events, and to improve and interest posterity : therefore,

Persons incorporated.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Isaiah Thomas, Levi Lincoln, Harrison G. Otis, Timothy Bigelow, Nathaniel Paine, and Edward Bangs, Esqrs. John T. Kirkland, D. D. Aaron Bancroft, D. D. Jonathan H. Lyman, Elijah H. Mills, Elisha Hammond, Timothy Williams, William D. Peck, John Lowell, Edmund Dwight, Eleazer James, Josiah Quincy, William S. Shaw, Francis Blake, Levi Lincoln, Jun. Samuel M. Burnside, and Benjamin Russell, Esqrs. Rev. Thaddeus M. Harris, Redford Webster, Thomas Walcutt, Ebenezer T. Andrews, Isaiah Thomas, jun. William Wells, and such others as may associate with them for the purposes aforesaid, be, and hereby are formed into, and constituted a society and body politic and corporate, by the name of The American Antiquarian Society, and that they and their successors, and such other persons as shall be legally elected by them, shall be, and continue a body politic and corporate, by that name forever.

Members may elect officers.

SEC. 2. Be it further enacted, That the members of said Society shall have power to elect a President, Vice Presidents, and such other officers as they may determine to be necessary, and that the said Society shall have one common seal, and the same may break, change and renew, at pleasure, and that the same Society, by the name aforesaid, as a body politic and corporate, may sue and be sued, prosecute and defend suits to final judgment and execution.

May make by-laws.

SEC. 3. Be it further enacted, That the said Society shall have power to make orders and by-laws for governing its members and property, not repugnant to the laws

of this Commonwealth, and may expel, disfranchise or suspend any member, who by misconduct shall be rendered unworthy.

SEC. 4. *Be it further enacted*, That the said Society may, from time to time, establish rules for electing officers and members, and also times and places for holding meetings, and shall be capable to take and hold real or personal estate, by gift, grant, devise or otherwise, and the same or any part thereof, to alien and convey, provided that the annual income of any real estate, by said Society holden, shall never exceed the sum of fifteen hundred dollars, and that the personal estate thereof, exclusive of books, papers and articles in the museum of said Society, shall never exceed the value of seven thousand dollars. May hold estate.

SEC. 5. *Be it further enacted*, That said Society may elect honorary members, residing in and without the limits of this Commonwealth, and that Isaiah Thomas, Esq. be, and hereby is authorised and empowered to notify and warn the first meeting of said Society, and that the said Society, when met, shall agree upon a method for calling future meetings, and have power to adjourn from time to time, as may be found necessary. May call meeting:

SEC. 6. *Be it further enacted*, That the library and museum of said Society shall be kept in the town of Worcester, in the county of Worcester. Museum, where kept.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXX.

An Act in addition to an act, entitled, "An act for dividing the county of Hampshire, and erecting and forming the Southerly part thereof into a separate county, by the name of Hampden."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the respective Justices of the Peace for the county of Hampshire, who, upon the division of said county, resided in the county of Hampden, be, and they hereby are authorised to issue execution on all judgments and recognizances recovered or taken before Justices authorised to issue execution.

them respectively, and to do and finish all matters and things commenced by them respectively, in their official capacity, before the act to which this is in addition took effect, in the same manner as they might have done, if the said county of Hampden had not been erected.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXXI.

An Act to incorporate Silas Gould and others, by the name of The Trustees of the School Fund in Wilton, in the county of Kennebeck.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Silas Gould, Samuel Butterfield, Micajah Covell, Isaac Butterfield, Jun. Gideon Powers, Isaac Hathaway, and Nathan Wing, all of said Wilton, be, and they are hereby appointed Trustees to sell the School lands in said town of Wilton, and to put at interest the monies arising from such sale, in manner hereinafter mentioned.

Persons in-
corporated.

Trustees in-
corporated.

SEC. 2 *Be it further enacted,* That the said Trustees be, and they hereby are incorporated, by the name of The Trustees of the School Fund in Wilton, and they and their successors shall be, and continue a body corporate and politic, by that name forever; and they shall have a common seal, subject to alteration, at their pleasure, and they may sue and be sued, in all actions whatsoever, and prosecute and defend the same to final judgment and execution, by their corporate name aforesaid.

May elect
officers.

SEC. 3. *Be it further enacted,* That the said Trustees and their successors shall annually elect by written ballot, a President and a Clerk, to record the doings of said Trustees, at their meetings, which Clerk shall be sworn by the President, to the faithful discharge of the duties of his office, also a Treasurer, to receive and apply the monies hereinafter mentioned, as hereinafter directed; and the said Trustees may also elect in any other manner, at any legal meeting, any other officers needful for the better managing their business.

SEC. 4. *Be it further enacted*, That the number of Trustees shall not, at any one time, be less than five, nor more than seven, any five of their number to constitute a quorum for transacting business; and they shall and may, from time to time, fill up from the inhabitants of said town, such vacancies in their number as may happen by death, resignation or otherwise; and they shall have power to remove any of their number, who may become unfit, from age, infirmity or misconduct, to discharge their duties, and to supply the vacancies so made, by a new choice as aforesaid. And the said Trustees shall annually hold a meeting in March or April, and as much oftener as may be necessary to transact their business; which meetings, after the first, shall be called in such way and manner, as the Trustees may hereafter direct.

Trustees,
number of
limited.

SEC. 5. *Be it further enacted*, That any Justice of the Peace, in the county of Kennebeck, be, and he hereby is authorised to fix the time and place for holding, the first meeting of said Trustees, and to notify each Trustee of the same, seven days at least before the time of said meeting.

Justice au-
thorised.

SEC. 6. *Be it further enacted*, That said Trustees be, and they hereby are authorised to sell and convey, in fee simple, all the school lands belonging to said town, and to make, and execute a good and sufficient deed or deeds thereof, which deed or deeds, being signed, acknowledged and delivered by the Treasurer, by direction of the Trustees, with their seal affixed thereto, shall be good and effectual in law, to pass and convey the fee simple from said town to the purchaser, to all intents whatever.

Trustees au-
thorised.

SEC. 7. *Be it further enacted*, That the monies arising from the sale of said lands, together with all donations or grants that may hereafter be made to said Corporation for the use of schools in said town, shall be put to use as soon as may be, and secured by mortgage of real estate to the full value of the estate sold, or money loaned, or by two or more sufficient sureties with the principal, or the said Trustees may invest the same, in some public securities, or in bank stock.

Monies, how
disposed.

SEC. 8. *Be it further enacted*, That the interest and profits arising from said funds shall be annually appropriated for the use of public schools in said towns, and it

Interest, how
appropri-
ated.

shall never be in the power of said town to alter, vary or alienate the appropriation of said fund.

Treasurer to
give bond.

SEC. 9. *Be it further enacted*, That the Treasurer of the Trustees shall give bond, with two sufficient bondsmen, to the Trustees, faithfully to perform his duty, and shall at all times be responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all neglect or misconduct of any kind in his said office.

SEC. 10. *Be it further enacted*, That the Trustees and their officers, for the services they may perform, shall receive no compensation out of the funds, interest or profits aforesaid; but a reasonable compensation for their services shall be paid to them by said town.

SEC. 11. *Be it further enacted*, That at every annual meeting of said town, in March or April, the Trustees shall exhibit to the town a fair and true statement of their doings.

Trustees
responsible.

SEC. 12. *Be it further enacted*, That the said Trustees and each of them shall be responsible to the town, for their personal negligence or misconduct, whether they be officers or not; the damage or loss arising thereby, to be recovered by action, at the suit of the town, in any Court proper to try the same, and the sum so recovered, to enure and be for the use aforesaid.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXXII.

An Act to incorporate The Waltham Cotton and Wool Factory Company

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Samuel Coverly, John Holland, and Enoch Wiswall, together with such others as may hereafter associate with them, their successors or assigns, be, and are hereby made a Corporation, by the name of The Waltham Cotton and Wool Factory Compa-

ny, for the purpose of manufacturing cotton and woollen goods, in the town of Waltham, in the county of Middlesex; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord, eighteen hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate not exceeding ^{May hold real estate} the value of one hundred and fifty thousand dollars, and possessed of such personal estate, not exceeding the value of three hundred thousand dollars, as may be necessary and convenient for the carrying on the manufacture of cotton and woollen goods in said town of Waltham.

[Approved by the Governor, Oct. 24, 1812.]

CHAP. LXXIII.

An Act to prevent damage being done by cattle, horses, and sheep, on the South beach and meadow, in the town of Edgarton, in the county of Duke's county.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, if any person or persons, shall turn out, or suffer to go at large, any of his or their neat cattle or horses, on any part of the south beach or meadow, in the town of Edgarton, in the county of Duke's county, he or they shall forfeit and pay one dollar for each horse, and fifty cents for each neat beast, thus turned out or suffered to go at large on said beach, or meadow; to be recovered, with costs of suits, by any one of the proprietors of said beach or meadow, who shall sue for the same, in any Court proper to try such cause, to the use of said proprietors.

SEC. 2. *Be it further enacted*, That from and after the passing of this act, if any person or persons shall turn out or suffer to go at large, any of his or their sheep, on any ^{sheep, penalty for going at large.}

part of said beach or meadow, between the first day of April and the first day of December, he or they shall forfeit and pay ten cents for each sheep, thus turned out or suffered to go at large, on said beach or meadow, to be recovered in manner, and to the use aforesaid.

[Approved by the Governor, Oct. 24, 1812.]

END OF OCTOBER SESSION, 1812.

L A W S

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THE SESSION,

COMMENCING ON THE

27th DAY OF JANUARY AND ENDING ON THE 27th DAY OF FEBRUARY,

ONE THOUSAND EIGHT HUNDRED AND THIRTEEN.

CHAP. LXXIV.

An Act in further addition to an act, entitled, "An act to incorporate the persons herein named into a Company by the name of The Broad-street Association, in the town of Boston."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, entitled, "An act to incorporate the persons herein named into a Company by the name of The Broad-street Association, in the town of Boston," shall be, and the same is hereby continued in force, until the first day of March, in the year of our Lord, one thousand, eight hundred and fourteen, for the purpose of enabling said Corporation to sell their estate and close their concerns. Act continued.

[Approved by the Governor, Feb. 5, 1813.]

CHAP. LXXV.

An Act to incorporate the Framingham Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Calvin Sanger, Aaron Leland, Joseph Sanger, Leonard Dearth, Benjamin Wheeler, Luther Belknap, Hopstill Leland, jun, Comfort Walker, Moses Adams, Lewis Wheeler, Micah Adams, Joseph Lovell Richardson, Phillips Clark, and Elias Whiting, together with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Framingham Manufacturing Company, for the purpose of manufacturing wool and cotton, in the town of Framingham, in the county of Middlesex; and for those purposes shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Value of
estate.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall, and may lawfully hold and possess such real estate, not exceeding in value, thirty thousand dollars, and personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on said manufactures in their various branches as aforesaid.

[Approved by the Governor, Feb. 6, 1813.]

CHAP. LXXVI.

An Act to alter the name of Joshua Gee Whittemore, Jun.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, Joshua Gee Whittemore, jun. of Gloucester, in

the county of Essex, mariner, shall be allowed to take the name of Harvev C. Mackay, and he shall in future be called and known by the said name; and the said name shall forever hereafter be considered as his only proper and legal name, to all intents and purposes. Name altered.

[Approved by the Governor, Feb. 13, 1813.]

CHAP. LXXVII.

An Act to establish the Falls Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That William Blackinton, John Cheever, Asa Read, Lemuel May, Edward Richards, jun. Artemas Stanley, and Woodward Stanley, together with such others as have associated, or may hereafter join and associate with them, their successors and assigns, be, and hereby are made a Corporation, by the name of the Falls Cotton Manufacturing Company, for the purpose of manufacturing cotton and wool, in the town of Attleborough, in the county of Bristol; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act "defining the general powers and duties of manufacturing Corporations," passed the third day of March, one thousand, eight hundred and nine.* Persons incorporated.

SEC. 2. *Be it further enacted, That the said Corporation may lawfully hold and possess such real estate, not exceeding the value of fifty thousand dollars, and personal estate, not exceeding the value of one hundred thousand dollars, as may be convenient and necessary for carrying on the manufacture of cotton and wool, in the said town of Attleborough.* May hold estate.

[Approved by the Governor, Feb. 13, 1813.]

CHAP. LXXVIII.

An Act to establish a Cotton and Wool Factory Company
in the town of Readfield.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Robert Page, Luther Sampson, Daniel Campbell, John Hubbard, Joel Bean, Jere Page, Lory Bacon, David Wheelock, Aaron Winslow, Joshua Packard, Peter Norton, John Smith, and Jonathan G. Thurston, together with such others as may hereafter associate with them, and their successors and assigns, be, and they hereby are made a Corporation by the name of The Readfield Cotton and Wool Factory Company for the purpose of manufacturing cotton and wool, in the said town of Readfield, in the county of Kennebeck; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties, requirements and disabilities prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

May hold
estate.

SEC. 2. *Be it further enacted*, That the said Corporation shall, and may lawfully hold and possess real estate, not exceeding thirty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, for carrying on the manufacture of cotton and wool in the said town of Readfield.

[Approved by the Governor, Feb. 13, 1813.]

CHAP. LXXIX.

An Act to incorporate The Oxford Cotton and Wool
Factory Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Enoch Adams, James Wells, Ezekiel Merrill, Moses Bartlett, Samuel Poor, Enos

Abbot, Nathan Adams, Nathan Adams, jun. Phineas Howard, Samuel Kimball, Stephen Bartlett, Paul Powers, Ebenezer Bartlett, David Burbank, and Elijah Bartlett, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation by the name of *The Oxford Cotton and Wool Factory Company*, for the purpose of manufacturing cotton and wool in either of the towns of Bethel or Rumford, in the county of Oxford; and for the purpose aforesaid, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act "defining the general powers and duties of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said Corporation shall, and may hold and possess real estate, not exceeding six thousand dollars, and personal estate, not exceeding forty thousand dollars, as may be necessary and convenient for carrying on the manufactory of cotton and wool in their various branches, in said county.

Value of
estate.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXX.

An Act to incorporate The Amesbury Wool and Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Paul Moody, Ezra Worthen, Thomas Boardman, and Samuel Wigglesworth, and their associates, together with such others as may hereafter associate with them, and their successors, be, and they are hereby made a Corporation by the name of *The Amesbury Wool and Cotton Manufacturing Company*, for the purpose of manufacturing wool and cotton in the town of Amesbury; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled, "An act defining the general powers and duties of manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine.

Persons in-
corporated.

Value of
estate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for the carrying on the manufacture of wool and cotton in said town of Amesbury.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXI.

An Act to set off Thomas Miles and his estate from the town of Fitchburg.

Thomas
Miles.

Proviso.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Thomas Miles of Fitchburg, in the county of Worcester, with his estate, within the bounds herein described, viz. beginning at the south-westerly corner of said Miles' farm, at a stake and stones on Westminster line, thence south eighty degrees east, one hundred and thirteen rods to a stake and stones, thence north eight degrees east, one hundred and thirty-three rods to a bunch of maples marked on the river bank, thence up the river one hundred eighteen rods to a stake and stones at the edge of the meadow, near said river, by said Westminster line, be set from the said town of Fitchburg, and annexed to the town of Westminster, there to do duty and receive privileges. *Provided however*, that the said Thomas Miles be holden to pay all taxes legally assessed upon him by the said town of Fitchburg, before the passing of this act.

[Approved by the Governor, Feb: 16, 1813.]

CHAP. LXXXII.

An Act to alter and establish the line between the towns of Chesterville and Vienna, in the county of Kennebeck.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the line between the towns of Chesterville and Vienna shall in future be established by the following described lines, viz. beginning on Gundy's Stream (so called) at the north-west corner of lot number nineteen, commonly called the Bachelder Lot, at a large monument of stones there to be erected, thence to run to Perry's Pond, (so called) at another large monument of stones there to be erected; thence southerly, down the said pond, to the north-west corner of lot number twenty-three, where a large monument of stones shall be erected; thence on the westerly side line of said lot numbered twenty-three to the south-west corner of said lot, to another monument of stones there to be erected; thence south-easterly on the range line to Parker's Pond, (so called) at another monument of stones there to be erected, at which place the line between the said towns terminates.

Line established.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXIII.

An Act in addition to an act, entitled, "An act for dividing the county of Berkshire into three districts, for the purpose of choosing Registers of Deeds in the said districts."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the town of Otis, in the south Registry of deeds district, in the county of Berkshire, be annexed to the district composed of the towns of Lenox, Pittsfield, Richmond, Stockbridge, Lee, Tyringham,

Berkshire districted.

Becket, Washington, and Partridgefield; and that all deeds and other conveyances of lands situate in the said town of Otis, from and after the first day of March next, shall be recorded in the Registry of deeds at Lenox, instead of Great Barrington, in the south district, any law, usage or custom, to the contrary notwithstanding.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXIV.

AN Act in further addition to, and amendment of an act, entitled, "An act in addition to an act, passed the fourth day of March, one thousand seven hundred and ninety, entitled, an act to regulate the catching of salmon, shad and alewives, and to prevent obstructions in Merimac river, and in the other streams running into the same, within this Commonwealth."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the act aforesaid to which this is in addition, passed the twenty-seventh day of March, seventeen hundred and ninety-three, which prohibits the taking of any fish, "within fifty rods below, or twenty rods above the mouth of any river or stream in the town of Andover, emptying into Merimac river," be so amended, as that any person or persons may hereafter, with the consent of the proprietors of the soil, or having otherwise the right of fishing thereon, draw any seine for catching shad and salmon in Merimac river, at any place between fifty and twenty-five rods below the mouth of Shausheen river, and between twenty and ten rods above the mouth of Cocheco brook, in the town of Andover, any thing in the act aforesaid, to the contrary notwithstanding.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXV.

An Act to annex the township numbered four in the fourth range, north of the Waldo Patent, to the county of Somerset.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the township numbered four in the fourth range of Townships, north of the Waldo Patent, which lies partly in the county of Somerset, and partly in the county of Hancock, be, and hereby is declared to be wholly within the county of Somerset. Township annexed to Somerset;
 [Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXVI.

An Act in addition to an act, entitled, "An act to repeal all the existing Excise Acts, and to provide for the expenses of justice in the several counties."

SEC. 1. BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That so much of the fourth Section of the act, to which this act is in addition, as requires that any person proposed to be admitted as an Attorney in the Court of Common Pleas in any county, shall produce the certificate of the Treasurer of the county, that he has paid him twenty dollars before he shall have the oaths administered to him, shall be, and the same is hereby repealed. Act repealed.

SEC. 2. Be *it further enacted,* That any person who, after the passing of this act, shall be proposed to be admitted as an attorney in any Circuit Court of Common Pleas, within this Commonwealth, shall not have the oaths administered to him until he shall produce the certificate of the Treasurer of the county wherein the said Circuit Court may then be in session, that he hath paid to him twenty dollars for the use of the said county, to be appropriated as the said law directs. Shall produce a certificate.

[Approved by the Governor, Feb. 16, 1813.]

CHAP. LXXXVII.

An Act to set off part of the towns of Winslow and Fairfax, and annex the same to the town of Harlem.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That so much of the following lots of land as the same are numbered in the town of Harlem, and lying within the towns of Winslow, and Fairfax, viz. so much of lot number twenty-four as is lying within the town of Winslow, and so much of lots number eleven, twenty-five and eighty-five, as are lying within the town of Fairfax, be, and they are hereby set off from the respective towns of Winslow and Fairfax, in the county of Kennebeck, and annexed to the town of Harlem, in the same county.

Set off.

SEC. 2. *Be it further enacted,* That there shall be taken three milles from the State valuation of the town of Fairfax, and added to the town of Harlem, which shall be the rule for assessing the said towns for State and County taxes, until there shall be a new State valuation taken.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. LXXXVIII.

An Act to incorporate the Proprietors of Buxton Boom.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Isaac Lane, Samuel Merrill jun. Gibeon Elden, together with such other persons as now are, or shall hereafter become proprietors in said Boom, be, and they hereby are constituted and made a Corporation for laying and maintaining a boom across Saco river, in the towns of Buxton and Hollis, in the county of York, by the name of the Proprietors of Buxton Boom, and by that name may sue and be sued, prosecute and be prosecuted to final judgment and execution, and

Persons incorporated.

to do and suffer all such matters and things, as bodies politic and corporate may, or ought to do and suffer; and the said Corporation shall have power to keep and use a common seal, and the same to break, alter and renew, at pleasure.

SEC. 2. *Be it further enacted*, That Isaac Lane and others, his associates, or any three of them, may, by an advertisement, posted up in some public place, in the town of Buxton, call a meeting of said proprietors, at some suitable time and place, giving at least ten days' notice of such meeting, and the said proprietors being so met, by vote of the major part of the proprietors present, or represented at said meeting, shall proceed to choose a Clerk, Treasurer, and such other officers as they may, from time to time, find necessary, who shall be duly sworn to the faithful discharge of their respective trusts, and shall also agree on the method of calling future meetings of said proprietors, and at the same or any subsequent meetings, may make and establish any rules and regulations which may be found necessary or convenient for regulating said Corporation, for collecting the toll or fees herein established, and for the more effectually executing and completing the general purposes of this act; and shall have power to assess and recover reasonable fines and penalties, for any breach or breaches of such rules and regulations, not exceeding ten dollars. *Provided* such rules and regulations shall not be repugnant to the constitution and laws of this Commonwealth; and all applications and representations made at such meetings shall be in writing, and signed with the name of the person making the same, which shall be filed with, and recorded by the Clerk; and this act, with all the rules, regulations, votes and doings of said Corporation, shall be fairly and truly recorded by the said Clerk, in a book or books for that purpose to be provided and kept.

May choose officers.

Provido.

SEC. 3. *Be it further enacted*, That said proprietors be, and they are hereby authorised and empowered to build and keep in repair, such side booms and piers above the said main boom, as may be necessary for securing and saving the timber and logs coming down said river, and to facilitate the passing of masts, timber and logs, through said main boom, belonging to persons below said boom, on said river, free of toll.

Authorised to build side booms.

SEC. 4. Be it further enacted, That the said Corporation shall be entitled to receive, of the respective owner or owners of masts, logs and timber, which shall be rafted and secured at said boom, by any person or persons, the following respective fees or toll : for each mast, four cents ; for each pine mill log of thirty feet in length and upwards, four cents ; for each pine mill log under thirty feet in length, three cents. *Provided however,* That the fees or toll shall, at all times hereafter, be subject to the revision or alteration of the Legislature.

May receive
fees or toll.

Proviso.

May hold
real estate.

SEC. 5. Be it further enacted, That said proprietors may purchase and hold to them and their successors, any real estate contiguous to said main boom or side booms, which shall be necessary for the purpose of making, maintaining or improving the said booms ; and may, at any legal meeting called for that purpose, agree upon the number of shares, into which the estate and property of said Corporation shall be divided, not exceeding one hundred shares ; and upon the form of the certificate to be given to individuals of the number of shares by them respectively held ; upon the mode and conditions of transferring the same, which shares shall be held and considered as personal estate, to all intents and purposes whatever. Said proprietors shall also have power to assess upon each share, all such sums of money, as may be necessary for building and repairing said boom, and the necessary side booms, and for the improvement and good management of said estate, and to sell and dispose of the share or shares of any delinquent proprietor, for the payment of his assessment, in such way and manner as said Corporation may, by their rules and regulations, determine and agree upon.

Proviso.

Provided, Said real estate of said Corporation shall not exceed in value three thousand dollars.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. LXXXIX.

An Act to incorporate the Saco Cotton and Wool Factory Company.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the

authority of the same, That Foxwell Cutts, Reuben H. Green, and Edmund Moody, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Saco Cotton and Wool Factory Company, for the purpose of manufacturing cotton and wool, in the town of Saco, in the county of York; and for the purpose aforesaid, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act entitled, "An act defining the general powers and duties of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity, shall, and may lawfully hold and possess real estate, not exceeding thirty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton and wool, in their various branches, in the said town of Saco.

May hold
estate.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XC.

An Act to incorporate The Duxbury Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ezra Weston, Ezra Weston, jun. Samuel A. Frazier, Reuben Drew, Abner Harlow, George Loring, Eleazer Harlow, Ahira Wadsworth, Jacob Weston, Benjamin Billings, and Daniel Atherton, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Duxbury manufacturing Company, for the purpose of manufacturing wool and cotton, at Duxbury, in the county of Plymouth; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord, one thousand eight

Persons in-
corporated.

hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."

Value of estate.

SEC. 2 *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton and wool, at Duxbury aforesaid.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCI.

An Act in further addition to an act, entitled, "An act establishing The Hartford and Dedham Turnpike Corporation."

Toll altered.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That The Hartford and Dedham Turnpike Corporation be, and hereby are authorised, instead of the toll to which they are now entitled, for every chaise, chair, or other carriage, drawn by one horse, to demand and receive for the same, twelve and a half cents, at the gate where they are now entitled to receive ten cents; and six cents and one fourth of a cent, at the two other gates, where they are now entitled to receive five cents.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCII.

An Act to incorporate The Boston Manufacturing Company.

Persons incorporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Francis C. Lowell, Benjamin Gorham, Uriah Cotting, and Patrick T. Jackson, their associates, successors and assigns, be, and they hereby are

made a Corporation, by the name of The Boston manufacturing Company, for the purpose of manufacturing cotton, woollen, and linen goods, at Boston, in the County of Suffolk, or within fifteen miles thereof, or at any other place or places, not exceeding four; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, eighteen hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation shall not exceed four hundred thousand dollars; and they may be lawfully seized and possessed of such real estate as may be necessary and convenient for the purposes aforesaid, not exceeding the value of one hundred thousand dollars, exclusive of buildings and improvements that may be made thereon, by the said Corporation.

May hold
real estate.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCIII.

An Act in addition to an act, entitled, "An act for the speedy assignment of Dower, and for the preventing of strip and waste by tenants therein."

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, the widow of any citizen of the United States, who may have been, or shall be an alien at the time of intermarriage with such citizen, shall be entitled to dower in her husband's estate, in this Commonwealth, in the same manner as those who are now by law entitled to dower.

Widow en-
titled to
dower.

SEC. 2. *Be it further enacted*, That in all cases wherein the respective Judges of Probate in this Commonwealth, before the ninth day of March, in the year of our Lord, one thousand seven hundred and eighty-four, ordered distribution or assignment of the reversion of any widow's dower to the heirs of her husband, in the life of said

Proviso.

widow, any person or persons, to whom such reversion has been so distributed or assigned, and those claiming under them shall forever hereafter hold the same by as good title as if the distribution or assignment aforesaid had been regular and legal. *Provided*, that nothing in this act shall effect any question now pending, or which has been decided in any of the courts of this Commonwealth, nor entitle any widow, being an alien as aforesaid, to dower in any land conveyed from her husband by deed, or extended on execution, before the passing of this act.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCIV.

An Act to incorporate The Augusta Cotton and Wool Manufacturing Company.

Persons in-
corporated.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Howard, William Robinson, Pitt Dillingham, Theophilus Hamlin, Thomas W. Smith, Joseph Ladd, John S. Kimball, Josiah. H. Vose, Benjamin Ross, Jesse Robinson, Alexander Orrok, and William Emmons, together with such others as may hereafter associate with them, and their successors, be, and they are hereby made a Corporation, by the name of The Augusta Cotton and Wool Manufacturing Company, for the purpose of manufacturing cotton and wool, in the town of Augusta; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord, one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."

Value of es-
tate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of twenty-five thousand dollars, and such personal estate, not exceeding the value of seventy-five thousand dollars, as may be necessary and convenient for carrying on the manufactory of cotton and wool in the said town of Augusta.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCV.

An Act in addition to an act, entitled, "An act authorising the sale of ministerial lands in the first parish in Gorham, to raise a fund for the support of the ministry, and appointing Trustees for those purposes."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, whenever a meeting of the Trustees aforesaid shall be notified to be holden, and a sufficient number of Trustees shall not assemble to form a quorum, agreeably to the Fourth Section of the act, entitled, "An act authorising the sale of ministerial lands in the first parish in Gorham, to raise a fund for the support of the ministry, and appointing Trustees for those purposes," any three of their number, then assembled, shall have power to adjourn said meeting for a term not exceeding ten days.

Trustees
may adjourn
meeting.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCVI.

An Act to empower the selectmen of the towns of Newton and Needham to appoint engine men.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the selectmen of the towns of Newton and Needham be, and they hereby are respectively authorised and empowered to nominate and appoint, as soon as may be, after the passing of this act, and ever after, in the month of March annually, so long as there shall be a good engine, at or near the lower falls, so called, on Charles river, any number of suitable persons, not exceeding twenty-one in the whole, thirteen of whom shall always be of the inhabitants of Newton, to be one company of engine men, to take charge of, and manage said engine; who shall be subject to the same duties, and

May annually elect
engine men

vested with the same powers, and entitled to the same rights, privileges and exemptions, that all other engine men, by law, now are or hereafter may be.

Penalties,
how recover-
ed.

SEC. 2. *Be it further enacted*, That all rules and regulations respecting their duty as engine men shall, before they be established, be approved of by the selectmen of said towns; and all penalties annexed to the same, may be recovered by the Clerk of said engine men, before any Justice of the Peace, in the county where the person who may forfeit the same shall reside.

Act repeal-
ed.

SEC. 3. *Be it further enacted*, That the act which passed the eighteenth day of June, in the year of our Lord, eighteen hundred and twelve, entitled, "An act to empower the selectmen of the towns of Newton and Needham to appoint engine men," be, and hereby is repealed.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCVII.

An Act to remove the Records of the lands in Hopkinton and Upton, belonging to the Hopkins' donation or trust, and for other purposes.

Records
removed.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That after the first day of April next, the books of records of deeds and other conveyance of lands lying in the towns of Hopkinton, in the county of Middlesex, and Upton, in the county of Worcester, belonging to the Hopkins' donation or trust, shall be deposited and kept in the town of Hopkinton aforesaid, in some suitable place, and by some suitable person, to be appointed for that purpose by the Trustees of the said Hopkins' donation; and that from and after said day, all conveyances of said lands, or any parcel thereof, by deed, extent of execution, or otherwise, shall be recorded in said books, in said town of Hopkinton, by the Register, so to be appointed by said Trustees; and such registry of the conveyances aforesaid shall have the same force

and effect as if the same were recorded in the registry of deeds, for the county in which said lands may be.

SEC. 2. *Be it further enacted*, That it shall be the duty of the said Trustees, on or before the said first-day of April, to cause the said records to be removed to, and deposited in the said town of Hopkinton, and to appoint, from time to time, a suitable person to take the custody of said records, who shall hold his office during the pleasure of said Trustees, and to receive and register therewith all conveyances of said lands as aforesaid, not already recorded therein; and it shall be the duty of the person so appointed, or acting as Register for said lands, safely to keep the books of records, and to receive and record therein all conveyances of said lands, by deed, levy of execution, or otherwise, in the order of time as they are received, and to note thereon the time of receiving the same; and said Register, before entering upon the duties of said office, shall be sworn faithfully to discharge the same, and he shall be liable for all damages occasioned to any person, by reason of misbehaviour in his said office, and he shall be entitled to receive for his services as Register, the same fees as county Registers are by law entitled to receive

Duty of the
Register.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCVIII.

An Act to annex Francis Day, Ebenezer Hewins, and Elisha Parker, with their families and estates, to the town of Hallowell.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Francis Day, Ebenezer Hewins, and Elisha Parker, with their families and estates contained in a Lot numbered one hundred and one, be, and hereby are set off from the town of Augusta, and annexed to the town of Hallowell, excepting that part of the said lot owned by James Page, jun. being about ten acres: and the said Francis Day, Ebenezer Hewins and Elisha Parker, shall hereafter be considered as inhabitants of the said town of Hallowell, to all legal intents and purposes, there to do

Persons set
off to other
town.

Proviso.

the duties, and exercise and enjoy the privileges, in like manner with the other inhabitants of the said town of Hallowell; *Provided*, that the said Day, Hewins and Parker, shall be holden to pay all taxes assessed on them by the town of Augusta, due and unpaid before the passing of this act, and also their proportionable part of all State and county taxes, which shall be laid upon the said town of Augusta, until another general valuation shall be made.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. XCIX.

An Act to annex a part of the Plantation called Twenty-five Mile Pond, to the town of Unity, in the county of Kennebeck.

Part town-
ship annex-
ed.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of the Plantation, called Twenty-five Mile Pond, as is contained within the following described lines, be, and the same is hereby annexed to the town of Unity, in the county of Kennebeck, viz. beginning at the north-east corner of Unity, thence north six degrees west, on the westerly line of Kingville, one mile and two hundred and fourteen poles, thence north sixty-seven degrees and an half west until it strikes the margin of Twenty-five Mile Pond, thence southerly by the margin of said Pond, to the north line of the said town of Unity, thence south sixty-seven degrees and an half east, one mile and two hundred and sixty-two poles, on the north line of the said town of Unity, to the first mentioned bounds. And the inhabitants of the tract hereby annexed to the town of Unity shall have, use, exercise and enjoy, all town privileges, and shall also be subject to the same duties and requisitions, as the other inhabitants of the said town: *Provided however*, That the said inhabitants hereby annexed to the said town of Unity shall continue to pay their State and county taxes to the said Twenty-five Mile Pond Plantation, until a new*

Proviso.

valuation is taken, and shall also be holden to pay all arrears of Plantation taxes now due and unpaid, to the said Plantation.

[Approved by the Governor, Feb. 23, 1813.]

CHAP. C.

An Act to establish the Fryeburgh Aqueduct Corporation.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Robert Bradley, Joshua Durgin, Abiel Farnum, Samuel Southen, John Bradley, Henry Y. B. Osgood, Oliver Griswold, Jeremiah Stickney, and Timothy Osgood, their associates, successors and assigns, be, and they hereby are incorporated by the name of The Fryeburgh Aqueduct Corporation, and by that name may sue and be sued, and do and suffer all matters and things which bodies politic may or ought to do or suffer, and may purchase and hold one or more pieces of land, in said Fryeburgh or any adjacent town (not to exceed two acres in one place) where there are springs of water, and thence bring water in subterraneous pipes, to any place within said town of Fryeburgh, and may construct and erect on said land reservoirs and buildings: *Provided*, the funds of said Corporation shall not exceed twenty-five thousand dollars, and *Provided*, that nothing in this act shall authorise said Corporation to enter upon or use the land of any person, without licence therefor first had and obtained of the proprietor of said land, and the shares shall be considered as personal property.

Persons incorporated.

Proviso.

SEC. 2. *Be it further enacted,* That any three of said persons may, by advertisements posted up at two public places in said town of Fryeburgh, call a meeting of said Proprietors, to be holden at any suitable time and place in said town of Fryeburgh, seven days at least after the posting up of said advertisements; and the Proprietors, by a major vote of them present, accounting one vote to each share, may choose a Clerk of said proprietors, who shall be sworn to the faithful discharge of his duty; agree

May call meeting.

May elect officers. upon a mode of calling future meetings of said Proprietors, and may also elect any other officers, which to them may appear necessary for carrying into effect the object of their Incorporation; may enjoin and order fines and penalties for the breach of any of their rules and by-laws, not exceeding ten dollars for any one breach thereof. And all persons appearing at any of said meetings, to represent any of said Proprietors, shall have an appointment in writing, signed by the person so to be represented, which shall be filed with, or recorded by the Clerk of the Corporation, whose duty it shall be fairly and truly to enter and record in a book, to be kept for that purpose, this act, and all rules and by-laws, votes and proceedings of said Corporation.

Authorised to place pipes.

SEC. 3. *Be it further enacted*, That the said Proprietors be, and they hereby are authorised to enter upon and dig up any highway for the purpose of placing such pipes as may be necessary to complete said aqueduct, or for repairing the same; *provided*, they do not thereby impede the passing of travellers.

Penalty

SEC. 4. *Be it further enacted*, That any person or persons, who shall wilfully injure said aqueduct, shall be subjected to the same penalties as are provided in the Second Section of an act, entitled, "An act for the more effectually preventing trespasses in divers cases," passed in the year of our Lord, one thousand seven hundred and eighty-five, and shall be liable to make good all damages to said Proprietors.

Mode of transferring shares.

SEC. 5. *Be it further enacted*, That the mode of selling or transferring the shares of said Corporation shall be by deed acknowledged before a Justice of the Peace, and recorded by the Clerk of said Corporation, in a book to be kept for that purpose.

Treasurer to sell shares.

SEC. 6. *Be it further enacted*, That when any Proprietor shall neglect or refuse to pay any tax or assessment, duly voted and agreed upon by said Corporation, to the Treasurer of said Corporation, within thirty days after the time set for the payment thereof, the Treasurer is hereby authorised to sell at public vendue, the share or shares of such delinquent proprietor, one or more, as shall be sufficient to defray said taxes, and necessary and incidental charges, after duly notifying in one of the News papers printed in Portland, the sum due on any such shares, and

the time and place of sale two weeks successively, the last publication to be seven days, at least before the time of said sale; and such sale shall be a transfer of the share or shares sold, to the person purchasing; and on producing a certificate of such sale from the Treasurer to the Clerk of said Corporation, the name of such purchaser, with the number of shares so sold, shall be by the Clerk entered on the books of said Corporation, and such person shall be considered, to all intents and purposes, the Proprietors thereof; and the overplus, if any there be, shall be paid on demand by the Treasurer to the person whose shares shall have been thus sold.

[Approved by the Governor, Feb. 24, 1813.]

CHAP. CI.

An Act to incorporate The Third Congregational Parish in Abington.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Thomas H. Arnold, Noah Beal, Zadock Beal, David Beal, Melzar Beal, Nathan Beal, Nathaniel Beal, Isaac Burrill, Caleb Chard, jun. Eleazer Chubbuck, Thomas Chubbuck, Joshua Curtis, James Tilloon, Abner Gardner, Caleb Gardner, Noah Gardner, Melvin Gurney, David Hearsy, Elijah Hobart, Daniel Holbrook, Josiah Holbrook, Reuben Holbrook, William Holbrook, William Holbrook, jun. Reuben Hunt, David Hunt, Elias Hunt, Silas Hunt, Thomas Hunt, Moses Jones, Eleazer Josselyn, Andrew Lane, Caleb Lane, Charles Lane, Isaiah Lane, Daniel Lane, jun. John Lane, Silas Lane, Caleb Loud, Noah Lovell, Alexander M' Donald, Zebulon Payn, Stephen Payn, David Pool, Micah Pool, John Pool, Noah Pratt, Cyrus Pratt, David Pratt, Goddard Reed, Samuel Reed, Thomas Reed, jun. John Ripley, William Ripley, jun. Abraham Shaw, Abraham Shaw, jun. Brackley Shaw, 2d. Elijah Shaw, Jared Shaw, Melvin Shaw, Nehemiah Smith, James Smith, Zenas Smith, Zenas Smith, 2d John Stetson, Oliver Stetson, Nathan Stoddard, Nathan Studley, Elihu Tirrell, William*

Persons incorporated.

Proviso.

Torrey, Daniel Townsend, Alexander Vining, Benjamin Vining, Ebed Vining, Elisha Vining, Barzillai Whiting, Eleazer Whiting, and Thomas Whiting, together with their families and estates, within the town of Abington, be, and they are hereby incorporated, as a distinct religious Society, by the name of The Third Congregational Parish in Abington, with all the powers and privileges, and shall be also subject to all the duties and requirements of other parishes or religious societies, according to the constitution and laws of this Commonwealth: *Provided, however,* That the persons before named shall be holden to pay all taxes previously assessed in the parish from which he or she may separate, and also to pay their proportionate part of the stated salary of the Rev. Samuel Niles, which is ninety-three pounds six shillings and eight pence, equal to three hundred and eleven dollars and eleven cents annually, so long as the said Rev. Samuel Niles continues to be the minister of the first parish, in the said town, and the said salary shall continue to be assessed, as has been heretofore practised in the First Parish.

May become members.

SEC. 2. *Be it further enacted,* That any person belonging to the town of Abington, who may hereafter be desirous of becoming a member of the said Third Congregational Parish in Abington, shall declare such intention in writing, to the Clerk of the said town, and also deliver a copy of the same to the Minister or Clerk of the said Third Parish, and also to the Clerk of the parish or society, from which such person may secede; and if such person doth receive, and can produce a certificate, signed by the Clerk of the said Third Parish, that he or she has actually united with, and become a member of the said Third Parish, at any time previous to the first day of March, A. D. 1815, such person shall, from and after the date of such certificate of admission, with his or her polls and estates, be considered a member of the said Third Parish: *Provided however,* That all such persons shall be holden to pay all taxes previously assessed in the parish or society, from which such person may secede.

Proviso.

SEC. 3. *Be it further enacted,* That any member of the said Third Parish in Abington, who shall see cause to leave the same, and to unite with any other parish or society in the said town, at any time previous to the first

day of March, 1815, such person shall declare such intention in writing, to the Clerk of the said Third Parish, and deliver a copy of the same to the Town Clerk, and also to the Clerk of the parish or society with which such person desires to unite, and if such person doth receive, and can produce a certificate of admission, signed by the Clerk of such other society, such person shall, from the date of such certificate of admission, with his or her polls and estate, be considered a member of such other parish or society: *Provided however*, That in all cases of secession from one parish, and joining another, every such person shall be holden to pay his or her proportion or assessment of all parish taxes assessed therein prior to leaving the same.

Manner of
leaving the
Society.

Proviso.

SEC. 4. *Be it further enacted*, That all young persons, within the limits of the town of Abington, when they become twenty-one years of age, shall have full liberty, within twelve months thereafter, to unite with their polls and estate, to the said Third Parish; and also all persons who may settle within the limits of the said town, shall have the same liberty to join the said Third Parish: *Provided always*, That all such persons shall notify their intentions in writing, and the same process shall be had and done, as is provided for in this act.

Proviso.

SEC. 5. *Be it further enacted*, That any Justice of the Peace, for the county of Plymouth, is hereby authorised to issue a warrant directed to one of the members of the said Third Congregational Parish, requiring him to notify and warn the inhabitants and members thereof, to meet at such convenient time and place as shall be appointed in the said warrant, to choose such officers, as parishes have a right by law to choose and appoint, at their annual parish meetings, and to do and regulate such other matters and things, as the well being of the said parish may require.

Justice au-
thorised to
issue war-
rant.

[Approved by the Governor, Feb. 24, 1813.]

CHAP. CII.

An Act to repeal part of an act, entitled, "An act to regulate town meetings in the town of Danvers."

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of an act passed the fourteenth day of July, A. D. seventeen hundred and seventy-two, entitled, "An act to regulate town meetings in the town of Danvers," as provides for the choice of Selectmen and Assessors alternately, in the North and South Parishes in the town of Danvers, be, and the same is hereby repealed.

Act repeal-
ed.

SEC. 2 *Be it further enacted*, That hereafter annually, two of the Selectmen, and two of the Assessors, shall be chosen from the qualified inhabitants and voters in the North Parish; and two of the Selectmen, and two of the Assessors, from the inhabitants and qualified voters in the South Parish; and one Selectman, and one Assessor, from the inhabitants and qualified voters in that part of the South Parish, called the Neck of land, or the New Mills District.

Town Offi-
ce how
chosen.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CIII.

An Act to regulate the taking of Fish in Connecticut River.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That no person or persons whatever be allowed, from and after the passing of this act, to catch any salmon or shad, or draw any seine for the purpose of catching any salmon or shad in that part of Connecticut river which passes through this Commonwealth, from the twenty-fifth day of June to the first day of December annually; and if any person or persons shall catch any salmon or shad in said river, or shall drag any seine or

net for the purpose of catching any of the said fish in said river, within this Commonwealth, between the said twenty-fifth day of June, and the said first day of December annually, each and every person so offending shall forfeit and pay for each offence, a fine of ten dollars. Penalty for taking fish contrary to law.

SEC. 2. *Be it further enacted*, That if any person or persons, at any time, in the river aforesaid, within this Commonwealth, shall fish with a seine or net exceeding forty-five rods in length, or extend more than one seine or net on the same fishing ground, at one and the same time, he or they shall, for each offence, forfeit and pay a fine of twenty dollars.

SEC. 3. *Be it further enacted*, That all the fines and forfeitures incurred by a breach of this act shall be recovered in an action of debt, before any Court of competent jurisdiction, in the county where the offence is committed, and all such fines and forfeitures, so recovered, shall enure to the benefit of him or them who shall prosecute for the same. Fines, how recovered.

SEC. 4. *Be it further enacted*, That no action founded on this act shall be sustained, unless the same be commenced within one year from the time in which the offence complained of may be committed.

SEC. 5. *Be it further enacted*, That all seines, nets, boats, or other fishing implements, which shall be used in violation of any provisions of this act, shall be liable to attachment, and held to respond such damages and costs as may be recovered in any action prosecuted under this act. Seines &c. attached for breach of act.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CIV.

An Act to annex Ichabod Warren and Ichabod Warren, Jun. to the town of Denmark.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ichabod Warren and Ichabod Warren, jun. with their families and so much of their real estates as to include their homestead, be, and

Persons set
off to other
town.

Proviso.

they are hereby set off from the town of Fryeburgh, and annexed to the town of Denmark; and the said families with their estates hereby annexed to said Denmark, shall be considered as a part of said town, and shall there exercise and enjoy equal privileges, and be also subject to the like duties and requisitions as the other inhabitants of said town: *Provided*, That the said Ichabod Warren and Ichabod Warren, jun. shall be holden to pay their assessment of all taxes assessed on them and their estates, by the said town of Fryeburgh, prior to the date of this act, and the State and county taxes which shall in future be paid to the said town of Denmark, by the said Ichabod Warren and Ichabod Warren, jun. shall be ascertained and settled according to the return made in the last valuation, by agreement between the assessors of the said towns of Denmark and Fryeburgh, who are hereby empowered for that purpose.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CV.

An Act further regulating suits, by and against Executors and Administrators.

May prosecuted de bonis non.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That whenever any Executor or Administrator shall die or be removed from office during the pendency of any suit, brought by or against him, in his said capacity, the same suit may be prosecuted by or against any Administrator de bonis non, who shall thereupon be appointed, and process may thereupon issue, in due form of law, to compel any such Administrator de bonis non to become a party to the suit, and if such Administrator de bonis non, shall, after due service of such process, neglect or refuse to become party to the suit, judgment may be rendered against him in the same manner, as if he had voluntarily come in and become a party to the suit.

SEC. 2. *Be it further enacted,* That where judgment shall be had in any suit, in which an Executor or Admin-

istrator is a party, and such Executor or Administrator shall afterwards die or be removed from office, in such case a scire facias may be sued forth, and execution taken on such judgment, either by or against any Administrator de bonis non, who shall be thereupon appointed, and any execution, which may have duly issued upon such judgment, may be perfected by either of said parties respectively, and a writ of error to correct any errors in such judgment, as also a writ of review thereof may be brought in the manner prescribed by law, either by or against such Administrator de bonis non, in like manner as it might have been by or against the original Executor or Administrator who was party to such judgment.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CVI.

An Act in further addition to an act, entitled, "An act to remove and prevent obstructions to the passage of shad, alewives and other fish, in Parker River, and the Falls River, so called, in the county of Essex, and the streams and brooks running into said Falls River."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the sluice ways at each and every dam made for the passage of fish on the Falls river, so called, in the county of Essex, shall at all times, from the fifteenth day of April to the first day of June annually, be such, that the perpendicular section of the water running in each of the said sluice ways shall be equal to one hundred and forty-four square inches, and the said sluice ways shall be made in such form, at such places, and with such convenient passages thereto, in and at the several dams aforesaid, as Dennison Wallis and Nathan Felton, Esqrs. of Danvers, in the county of Essex, shall direct. And the mill-holders are hereby obliged to make at their own expense the sluice ways and passages as above directed, if not already made, and keep the same in repair during the continuance of the act to which this is in addition, and

Mill-holders
shall make
sluice ways.

shall not be holden to make any other alterations at their expense during the continuance of the said act; and the said mill-holders shall be liable to the same penalties, to be sued for and recovered, in the same manner for any breaches of the duties enjoined upon them by this act, as are prescribed for the like offences in the act to which this act is in addition.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CVII.

An Act to Incorporate The Pawtucket Manufacturing Company

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Eliphalet Slack, Oliver Starkweather, Ebenezer Tyler, Benjamin S. Walcut and Elijah Ingraham, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Pawtucket Manufacturing Company, for the purpose of manufacturing cotton and woollen goods, at Seekonk, in the county of Bristol, and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord, one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."*

May hold
estate.

SEC. 2. *Be it further enacted, That said Corporation may be lawfully seized of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of three hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactures aforesaid, in the town of Seekonk.*

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CVIII.

An Act to alter and establish a part of the line between the Counties of Kennebeck and Somerset.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, a part of the line between the counties of Kennebeck and Somerset shall be as follows; viz. beginning at the North-west corner of township number four (now Kingville) and running due West until it strikes the line of the town of Clinton, at a monument of stones there to be erected.

Line altered.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CIX.

An Act to incorporate The Eagle Steel Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Thomas Dunbar and William Dunbar, with such others as already have, or may hereafter associate with them, their successors and assigns, be, and hereby are made a Corporation, by the name of The Eagle Steel Company, for the purpose of manufacturing steel in the town of Canton, in the county of Norfolk; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord, one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of twenty-five thousand dollars, and such personal estate, not exceeding the value of fifty

May hold estate.

thousand dollars, as may be necessary and convenient for carrying on said manufactory of steel in said town of Canton.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CX.

An Act to incorporate The First Baptist Society in Bluehill.

SEC. 1. **B**E it enacted, by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ebenezer Hinkley, Isaiah Hinkley, Jeremiah Stover, Seth Kimball, Peter Parker, jun. Benjamin Bunker, Jonathan Darling, jun. Benjamin Clay, Spencer Trueworgy, Betsy Parker, Samuel Parker, Henry Dority, John Roundy, Isaac Ingalls, Samuel Johnson, Walter Roundy, John Candage, Amos Allen, Benjamin Friend, Martha Friend, Joseph Candage, Jeremiah Eaton, James Day, Joseph Candage, jun. Samuel Morse, James Carter, and James Carter jun. together with their polls and estates, be, and they hereby are incorporated, by the name of The First Baptist Society in Bluehill, with all the privileges and immunities, which parishes in this Commonwealth by law enjoy.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That any person who may desire to join in religious worship with, and to become a member of the said Society, shall have a right so to do, by giving notice of his intention in writing, to the Clerk of the Society, to which such person previously belonged, and also to the Clerk of said Baptist Society, fifteen days before the annual meeting of said Societies respectively. And such person shall thenceforth, with his or her polls and estate, belong to said Baptist Society.

May become
members.

Manner of
leaving the
Society.

SEC. 3. *Be it further enacted,* That when any member of said Baptist Society shall see fit to leave the same, and to unite with any other religious Society, the like notice and process shall be made, and given, mutatis mutandis, as is prescribed in the second Section in this act; *Provided always,* That in every such case of secession from one Society and joining another, the person so se-

Proviso.

ceding shall be holden in law to pay his or her proportion of all parochial expenses assessed and not paid prior to leaving such Society.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Hancock is hereby authorised to issue a warrant, directed to some member of the said Baptist Society, requiring him to notify and warn the first meeting of the said Society, to meet at such convenient time and place as shall be expressed in said warrant, for the choice of such officers as religious societies are by law authorised to choose and appoint at their annual meetings.

Justice authorised to issue warrant.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXI.

An Act to divide the town of Lovel, and to establish the southerly part thereof a separate town by the name of Sweden.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That all that part of the town of Lovel, which lies south of the following described line; viz. beginning on Fryeburgh town line, at the south-easterly corner of lot number thirteen, in the first division of lots in said Lovel, thence on the southerly line of said lot number thirteen and of lot number one, in the third division, to the south-easterly corner of lot number two in said third division, thence on a straight line to the north-west corner of lot number two in the fourth division of lots in said town, thence following the north line of said lot number two, and lots number one hundred and eighteen, one hundred and twelve, and one hundred and thirteen, to Waterford line, with the inhabitants thereon, be, and the same are hereby incorporated into a town, by the name of *Sweden*, with all the powers and privileges, and subject to all the duties of other towns, according to the constitution and laws of this Commonwealth.

Town incorporated.

SEC. 2. *Be it further enacted*, That all the public property of the said town of Lovel, the debts due and unpaid,

the future support of the poor of the town, and the proportion which shall in future be paid of the State and County taxes, shall be divided between the said towns of Lovel and Sweden, in such proportion as shall be mutually agreed upon by the said towns, according to the last valuation.

Justice to
issue war-
rant.

SEC. 3. *Be it further enacted.* That any Justice of the Peace for the county of Oxford, upon application therefor, is hereby authorised to issue a warrant, directed to a freeholder and inhabitant of the said town of Sweden, requiring him to notify and warn the inhabitants thereof to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such town officers as towns are by law required to choose and appoint at their annual town meetings.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXII.

An Act for altering the easterly line of the town of Palermo, in the County of Lincoln.

Line altered.

Proviso.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the easterly line of the town of Palermo, in the county of Lincoln, be, and is hereby so far altered as that the same be in future bounded by the line run by Ephraim Ballard, in the year one thousand seven hundred and ninety-five, for a dividing line between the land of the Plymouth Company, so called, and of that part of the Waldo Patent, called the Twenty Associates' land, and by the line of the Commonwealth, called Titcombs Line, which runs north seven degrees east, that so much of the town of Palermo, as lies easterly and north-easterly of said lines, be, and is hereby set off to the plantation within the said Associates' tract; *Provided nevertheless,* That those persons liable to be assessed in said tract, shall be still holden to pay their proportionable part of all taxes, which are already assessed or granted by the said town of Palermo, in like manner as though this act had not been made, and shall also pay their proportionable part of taxes that shall be laid on the said town of

Palermo, by the Commonwealth and by the county of Lincoln, previous to another general valuation being made.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXIII.

An Act in further addition to an act, for incorporating James Sullivan, Esq. and others, by the name and style of the Proprietors of The Middlesex Canal.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the proprietors of The Middlesex Canal, be, and they hereby are authorised and empowered, in order to render Merimac river completely and conveniently navigable for boats from the said canal up Merimac river to the boundary of the State, to make and construct a lock and a dam at the rapids in Tyngsborough, known by the name of Wicasee Falls, at such place, or part of said rapids or falls, and on whichever side of the island situated thereat may be found most convenient: *May build a lock and dam.* *Provided however,* That in the construction of the said dam to raise the water to float loaded boats into the said lock, sufficient openings, slopes or fish ways, shall be left for the free passage of fish, and for the passage of rafts down said river, at such times as they do commonly descend the same; and if it should appear to any person or persons, that good and sufficient fish ways shall not be made and kept open in the said dam as aforesaid, that on application made to the Court of Sessions in the county of Middlesex, setting forth the fact, the said Court shall appoint five impartial men, a committee, to view the premises and take cognizance of the facts; and the report of said committee, accepted by the said Court, shall be binding on the said proprietors, who shall thereupon be bound to alter their said dam conformably thereto; and if any alteration shall be deemed necessary by said committee and the said Court, the costs shall be borne by the said proprietors, if otherwise, by the complainant. *Proviso.*

SEC. 2. *Be it further enacted*, That in carrying the grant hereby made into effect, the said proprietors shall be under the same liability for damages, and have the same privileges as heretofore granted.

Toll estab-
lished.

SEC. 3. *Be it further enacted*, That in consideration of the expenditures necessary to construct the said lock, and other works for the purpose aforesaid, and to remunerate the said proprietors, a toll for the passage of said locks, be, and hereby is established of ten cents a ton, on each and every ton of merchandise that shall be conveyed up through the said lock in boats, but that empty boats shall have a right to pass freely through the same; also boats descending with wood or other loading, subject however to the regulations and by-laws, which the said proprietors may establish for the management thereof, according to existing laws, giving to them that authority over the Middlesex Canal, which powers are hereby extended to the said works and locks to be built at said Wicasee Falls.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXIV.

An Act to establish The Royalston Cotton and Wool Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Benjamin Davis, Isaiah Fairbanks, Eliphalet Chase, Silas Hale, Francis Twichell, Daniel Fairbanks, Francis Fletcher, and Ebenezer Blanding, together with such others as have already, or may hereafter associate and join with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Royalston Cotton and Wool Manufacturing Company, for the purpose of manufacturing cotton and wool, in the town of Royalston; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in "An Act defining the general powers and duties of manufacturing Corporations," passed the third day of March,

in the year of our Lord, one thousand eight hundred and nine.

SEC. 2. *Be it further enacted*, That the said Corporation may lawfully hold and possess such real estate, not exceeding the value of twenty thousand dollars, and personal estate, not exceeding the value of fifty thousand dollars, as may be convenient and necessary for carrying on the manufacturing of cotton and wool, in the said town of Royalston. May hold estate.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXV.

An Act in further addition to an act, entitled, "An act in further addition to an act, entitled, an act for incorporating James Sullivan, Esq. and others, by the name and style of the Proprietors of The Middlesex Canal."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the proprietors of The Middlesex Canal shall be allowed a further time of five years from the twenty-second day of June next, to render Concord river boatable and navigable, and for cutting other canals in the county of Middlesex, pursuant and according to the tenor of the acts heretofore passed on that subject. Further time allowed.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXVI.

An Act to incorporate the Proprietors of The Cumberland Law Library.

SEC. .1 **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Prentiss Mellen, James D. Hopkins, Daniel Howard, Charles S. Davis, Dudley Todd, Nicholas Emery, Simon Greenleaf, Elisha P. Cut-

Persons in-
corporated.

ler, Hezekiah Frost, Horatio Southgate, Samuel Fessenden, Jacob S. Smith, Barret Potter, Joseph Adams, Stephen Longfellow, jun. Isaac Gates, Josiah W. Mitchel, Nathan Kingsman, Woodbury Storer, jun. Oliver Bray, William B. Sewall, Ezekiel Whitman, and Joseph D. Learned, and all such as may hereafter associate with them, their successors and assigns, shall be, and hereby are constituted a body corporate, by the name of the Proprietors of The Cumberland Law Library, and by that name may sue and be sued in any Court of record, may make, have and use a common seal, and also ordain, establish and put in execution, all such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government and interest of said Corporation, and relative to the assessment of the shares in said Corporation, and the collection of said assessments; and for the breach of such by-laws, may order fines and penalties, not exceeding ten dollars for every breach: *Provided*, such by-laws shall not be repugnant to the laws of this Commonwealth.

Proviso.

First meet-
ing, where
held.

May choose
officers.

SEC. 2. *Be it further enacted*, That the first meeting of said Proprietors shall be holden at the Court house in Portland, on Tuesday the twenty-fifth day of May next, at which time and place, said Proprietors shall agree on the mode of calling future meetings, and may then choose a President, Secretary, Treasurer, Librarian, Collector, and any other officer they may deem proper for the ensuing year, and then transact any other business, which by virtue of this act, they are authorised to do and perform.

SEC. 3. *Be it further enacted*, That the annual meeting for the choice of officers shall be held at said Portland, on the fourth Tuesday of May annually, until said Proprietors shall otherwise determine.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXVII.

An Act to apportion and assess a tax of one hundred and thirty-three thousand, three hundred and thirty-three dollars, and ninety-seven cents, for the service of the State, and also a further sum of thirty-three thousand, three hundred and thirty-three dollars, and forty-nine cents, towards reimbursing the expense of attendance of the members of the House of Representatives, now paid out of the Treasury of the Commonwealth.

[Approved by the Governor, Feb. 26, 1813.]

CHAP. CXVIII.

An Act in addition to an act, entitled, "An act to establish The Brookfield and Charlton Turnpike Corporation."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the further time of three years, from and after the twelfth day of March next, be, and hereby is allowed to said Corporation to build and complete their said road, any law to the contrary notwithstanding.

Further
time allow
ed.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXIX.

An Act in addition to an act, entitled, "An act supplementary to the act to incorporate the Proprietors of St. Peter's Church, in Salem, in the county of Essex."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, in all defaults of payment on any assessment, duly made on the Proprietors of said church, the pew or seat upon which such deficiency arises, shall revert to the

Proviso.

Corporation in ninety days after public notice is given, as provided for in the aforesaid supplementary act, any thing in said act of incorporation to the contrary notwithstanding: *Provided however*, That any proprietor, whose pew or seat may be forfeited as aforesaid, may at any time within one year thereafter redeem the same by paying the deficiency for which the same may have been sold, with interest and all costs that shall have arisen thereon.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXX.

An Act to annex Edmund Cleaves and William Cleaves to the town of Pownal

Persons set
off to other
town.

Proviso.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Edmund Cleaves and William Cleaves, with their families, and about one acre of land, with the buildings standing thereon, be, and they are hereby set off from the town of North-Yarmouth, and annexed to the town of Pownal; and shall there exercise and enjoy the privileges, and shall also be subject to the like duties and requisitions of the other inhabitants of the said town of Pownal: *Provided however*, That the said Edmund Cleaves and William Cleaves shall be holden to pay all the taxes assessed upon them in the town of North-Yarmouth, prior to the passing of this act.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXI.

An Act in further addition to an act, entitled, "An act directing the method for laying out highways."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That in all cases where any highway has been or shall be lawfully discontinued in whole

or in part, and any person shall think himself aggrieved thereby, he may apply for damages, by reason of such discontinuance, to the Court of Sessions in any adjoining county, which Court is hereby empowered and directed to hear and determine the same in like manner as is by law prescribed in case of the discontinuance of any town or private way, and thereupon to assess damages for the party injured, to be paid by the town or district in which the said highway was situated; and in default of payment after a reasonable time, the said Court shall levy the same by warrant of distress upon the personal property of any of the inhabitants of such town or district, to the use of the person or persons to whom the damages may be awarded: *Provided*, That such application be made within one year next after the discontinuance complained of.

Court of
Sessions to
assess dam-
age.

Proviso.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXII.

An Act to establish a Corporation by the name of The Ten Mile Canal Corporation.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That William Lane, Isaac Bradbury, Thomas Howard, and Joseph Howard, jun. together with such others as may hereafter associate with them and their successors, shall be, and hereby are made a Corporation, by the name of The Ten Mile Canal Corporation, and by that name may sue and be sued, in all actions, real, personal and mixed, and may have, keep and use a common seal, which they may alter or change at their pleasure, and may exercise and enjoy all the powers and privileges, and do and suffer all such other things as are incident to Corporations of a like nature and purpose.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the Proprietors aforesaid be; and they are hereby empowered within the term of five years from the passing of this act, to make a canal, between the waters of Clement's Pond and Saco River, in the most convenient direction, and the most suitable places for loading, transporting and unloading

Time lim-
ited.

Penalty in
case of wil-
ful injury.

lumber or any other commodities therein; and if any person shall in any way wilfully and mischievously injure or destroy the said canal, or any part thereof, or any of the works thereto appertaining, or obstruct or divert any of the waters thereof, to the damage of the said Proprietors, such person shall pay treble the amount of such damage, as the said Proprietors may make to appear before the Court and Jury, by whom the said action may be tried.

Justices to
appoint ap-
praisers.

Proviso.

SEC. 3. *Be it further enacted*, That if any person or persons shall suffer any damage by means of said canal, and the parties cannot agree upon the amount of damages thus occasioned, nor upon some suitable person or persons to appraise the same, the Justices of the Circuit Court of Common Pleas, for the circuit in which said proposed canal lies, are hereby authorised and empowered, at any session thereof, upon application of either party, after due notice given, to appoint three disinterested freeholders, within the county of Oxford, whose appraisement upon oath being returned into said Court, and by them accepted, shall be final between the parties, and shall vest the estate so appraised, in the Proprietors of said canal, their heirs and assigns forever: *Provided nevertheless*, That if either party shall be dissatisfied with the determination of said appraisers, appointed as aforesaid, and shall at the same session at which the report shall be made, apply for a Jury, the said Court shall have power to determine the same by a Jury, in the same manner that other causes are determined; and if the verdict of the Jury shall not give to the party applying a larger sum, or a more favourable decision than the appraisers appointed as aforesaid, the Court shall award costs against the party applying; but if the last decision shall be more favorable to the party applying, than the decision of the appraisers, the Court shall award costs against the party not applying; in both cases the judgment shall be made up agreeably to the verdict or report of the committee, so far as respects damage, with or without a deduction of the costs, as the case may require, and execution shall issue accordingly.

SEC. 4. *Be it further enacted*, That when the said canal shall be completed, and having the approbation of the Court of Sessions for the county of Oxford, or to the acceptance of a committee appointed by the said Court, the

said Proprietors shall have a right to demand and receive toll for all articles transported on the said canal, and to retain them or any part of them, until payment shall be made; and the following shall be the rates of toll, viz. for each board log, mast or spar, passing a slip or lock, one cent each; for each thousand of boards, planks and slit work, three cents; for each thousand of clap-boards and shingles, one cent each; and in all cases one cent shall be paid for the use of the canal, for each of the said articles.

May receive
or toll.

SEC. 5. *Be it further enacted*, That the said Proprietors shall be, and they are hereby authorised to purchase and hold real estate, to them, their heirs and assigns, to the amount of three thousand dollars, and personal estate, to the amount of one thousand dollars; and in all meetings of the said Proprietors, the votes shall be counted and determined according to the number of shares, and interest held by each Proprietor, either in person or by proxy.

May hold
estate.

SEC. 6. *Be it further enacted*, That on the application of either of the said Proprietors, any Justice of the Peace for the county of Oxford is hereby authorised to issue a warrant directed to one of the said Proprietors, requiring him to notify and call a meeting of the said Proprietors, at such time and place as shall be appointed in the said warrant, to organize the said Corporation, by the election of its officers, to agree upon a mode of notifying future meetings, to establish their rules and regulations of doing business, and to act upon any other matter expressed in said warrant.

Justice au-
thorised to
issue war-
rant.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXIII.

An Act to establish The Plympton Cotton Factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Zachariah Eddy, Ebenezer Deane, William Goodwin, Joshua Eddy, jun. Jonathan Parker, jun. Levi Bradford, jun. W. S. Eddy, Robert Blair, Martin Hayward, Josiah White, Daniel Parker,

Persons in-
corporated.

Isaac Wright, Isaac Bartlett, James Cushman, Ezra Weston, Ezra Weston, jun. Benjamin Billings, Nathaniel Eddy, Greenleaf Pratt, Josiah Cook, jun. Dan Wilmarth, Ephraim Edson, and Barzillai Crane, together with such others as may associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Plympton Cotton Manufacturing Company, for the purpose of manufacturing cotton, wool and linen yarn and cloth, in Plympton, in the county of Plymouth; and shall have all the powers and privileges, and shall be subject to all the duties and requirements prescribed in an act entitled, "An act defining the general powers and duties of manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

May hold
estate.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall and may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on said manufacture in their various branches as aforesaid.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXIV.

An Act in further addition to an act, entitled, "An act to divide the county of Hampshire, and to constitute the northerly part thereof into a county, by the name of the County of Franklin."

Entitled to
due propor-
tion of mon-
ies and
credits.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the county of Franklin shall be entitled to such due proportion of all the monies and credits of the county of Hampshire, at the time the act to which this is in addition took effect, which remained after the payment of the debts, then due and owing from the said county of Hampshire, as the amount assessed upon the several towns in the said county of Franklin, in the last county tax assessed upon them, while they con-

stituted a part of said county of Hampshire, bore to the whole assessment; and the Treasurer of the said county of Hampshire is authorised and required to pay the same over to the Treasurer of the said county of Franklin accordingly.

And to the end, that a just and equitable distribution of such monies and credits, at the several times, when the laws establishing the counties of Franklin and Hampden took effect, may be made, and that the due proportion of the counties of Franklin and Hampden therein may be ascertained:

SEC. 2. *Be it further enacted*, That the Justices of the several Courts of Sessions for the counties of Hampshire, Franklin and Hampden, be, and they hereby are authorised and directed, at the Courts first by them respectively holden after the passing of this act, to appoint one commissioner each, and it shall be the duty of the commissioners, so appointed, to meet at Northampton as soon as may be after their appointment, and examine the accounts of the Treasurer of the said county of Hampshire, and compute and adjust the equitable share of each of said counties, in said monies and credits, according to the proportion provided in the first section of this act; and if upon such examination and adjustment, it shall appear that more than the equitable proportion of the said county of Hampden, in the said monies and credits, has been paid into the treasury thereof, the same shall be reimbursed to the said county of Hampshire, according to the justice and equity of the case.

Justices to
appoint com-
missioners.

SEC. 3. *Be it further enacted*, That so long as the Supreme Judicial Court shall be holden at Northampton, for the counties of Hampshire, Franklin and Hampden, each of the said counties shall be holden to bear one third part of the expense of the Grand and Traverse Juries for said Court, to be paid out of their respective county treasuries:

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXV.

An Act to alter and change the names of certain persons therein mentioned, and for other purposes.

Names altered.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, Samuel White, of Boston, in the county of Suffolk, shall be allowed to take the name of Samuel Kellogg White; that Mary Leo Griffith, daughter of the widow Mary Griffith, of the same Boston, shall be allowed to take the name of Mary Elizabeth Newall Griffith; that Johnston Brown, of Boston aforesaid, jeweller, son of Robert Brown, late of Plymouth, in the county of Plymouth, deceased, shall be allowed to take the name of Robert Johnston Brown; that Abiah Williams, of said Boston, shall be allowed to take the name of Maria Williams; that Charles Parsons, of Boston aforesaid, merchant, shall be allowed to take the name of Charles Chauncy Parsons; and all acts heretofore lawfully done by the said Parsons, in the name of Charles Chauncy Parsons, are hereby ratified and confirmed; that Lucy Ann Innes Whitwell, an infant daughter of Benjamin Whitwell, Esq. of the same Boston, shall be allowed to take the name of Lucy Cushing Whitwell; that James Dickinson, of said Boston, comedian, shall be allowed to take the name of James Amos Dickson; that Ebenezer Baker, of Boston aforesaid, son of Ebenezer Baker, late of Dorchester, in the county of Norfolk, deceased, shall be allowed to take the name of Ebenezer Richard Baker; that William Wyer, of the same Boston, mariner, shall be allowed to take the name of William Fitzpatrick Wyer; that George Hall, of said Boston, son of Dr. George H. Hall, late of Brattleboro', Vermont, deceased, shall be allowed to take the name of George Ward Hall; that John Browne, of Salem, in the county of Essex, cordwainer, shall be allowed to take the name of John D. Browne; that John Smith, jun. of Newburyport, in said county of Essex, merchant, son of Leonard Smith, of the same Newburyport, shall be allowed to take the name of John

Augustus Smith; that Salvador Sabate, of Cohasset, in the county of Norfolk, shall be allowed to take the name of Samuel Snow; that William Leonard, jun. of Plymouth, in the county of Plymouth, son of Nathaniel Leonard, Esq. of Taunton, in the county of Bristol, shall be allowed to take the name of William B. Leonard; that Harry Sargent, of Leicester, in the county of Worcester, gentleman, shall be allowed to take the name of Henry Sargent; that Albert Lamberton, commonly called Albert Lewis, a minor and godson of Darius Lewis, of Egremont, in the county of Berkshire, shall be allowed to take the name of Albert Lewis; that Jesse Hunter, of Becket, in said county of Berkshire, yeoman, shall be allowed to take the name of John Larkin Hunter; that Pardon Shippey, otherwise called Pardon Trask, of Cheshire, in the county of Berkshire aforesaid, yeoman, shall be allowed to take the name of Pardon Lincoln; that Harvey Needham, of South Brimfield, in the county of Hampden, gentleman, shall be allowed to take the name of James Harvey Needham; that John Tompson, the fourth, of Berwick, in the county of York, shall be allowed to take the name of John S. Tompson; that Abel Prescott 2d. of Concord, in the county of Middlesex, son of the late Willoughby Prescott, of the same Concord, deceased, shall be allowed to take the name of Abel Heywood Prescott; and the several persons before named, from the time of the passing of this act, shall be called and known by the names, which by this act they are respectively allowed to take and assume as aforesaid; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXVI.

An Act in addition to an act, entitled, "An act for regulating, governing and training the militia of this Commonwealth."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the

Penalties,
how recov-
ered.

authority of the same, That if the Selectmen of any town in this Commonwealth shall neglect or refuse to perform the duties required of them in the ninth and twenty-third sections of an act, entitled, an act for regulating, governing and training the militia of this Commonwealth, every Selectman, so neglecting or refusing, shall forfeit and pay to the use of the Commonwealth, a sum, not exceeding fifty dollars, to be recovered by indictment in the Supreme Judicial Court, any Circuit Court of Common Pleas, or any Court of Common Pleas, for the counties of Nantucket and Duke's county.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXVII.

An Act in addition to the several acts to prevent the destruction of alewives and other fish in Ipswich river.

Passage
ways, when
kept open.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the time for the passage way or ways to be kept open, for the fish to pass and repass through any mill dam or dams now erected, or to be hereafter erected on the stream running from Humphrey's pond, so called, into said Ipswich river, shall be from the tenth day of May to the tenth day of June annually, any thing in the before-mentioned acts to the contrary notwithstanding.

SEC. 2. *Be it further enacted,* That the agent appointed by The Danvers Cotton Factory Company shall always be one of the fish committee provided for in the acts to which this is in addition and amendment.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXVIII.

An Act to incorporate a religious society, by the name of
The Eastern Methodist Society in Lynn.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Parker Mudge, Joseph Ingalls, James Clough, Samuel Mudge, Daniel Fuller, Jonathan Ingalls, Abner Ingalls, Robert Mansfield, Ephraim Brown, William Ashton, Robert Mansfield, jun. Edmund Lewis, jun. John Ireson, Ezra Mudge, George Hamlin, Benjamin N. Hallowell, Thomas Vickery, John Lewis, Nathaniel Ingalls, John Chase, John Lewis, jun. Ebenezer Tarbox, jun. James Lewis, Nathaniel Lewis, Samuel Ashton, Samuel Ashton, jun. Joseph Lewis, Benjamin Lewis, jun. Nathaniel Parrott, Hepzibah Parrott, James Parrott, jun. Hannah Parrott, Theophilus Burrell, Isaac Proctor, Nathan Mudge, jun. Samuel Ireson, Jacob Ingalls, John Ingalls, 4th. Jacob Jackson, Mark Graves, John Ingalls, jun. William Parrot, William Marshall, Eleazer Ingalls, Joseph Fuller, jun. Henry Segar, Joseph Richards, Joseph Richards, jun. Jacob Phillips, Theophilus Clark, Joseph Blaney, jun. Richard Hanford, Joseph Currier, Micajah Burrell, James Bickford, Theophilus Burrell, jun. Nathan Mudge, Zachariah Atwell, Peter G. Robbins, Edward Ingalls, William Phillips, John Gibbons, Rufus Parrott, Ebenezer Burrell, jun. James F. Lewis, John Richards, jun. Jacob Ingalls, jun. Peter Barry, John D. Atwell, Timothy Newhall, Enoch Mudge, jun. Benjamin Stone, Marshall Brown, Jonathan Chase, Daniel C. Watts, John Brown, John Mansfield, Joseph Ingalls, jun. Joseph Lewis jun. Joseph Mudge, jun. Caleb Stone, Jesse L. Atwell, Abijah Ramsdale, jun. Richard Richards, John Richards, 3d. William Ingalls, Stephen Lewis, Robert Mc. Farlain, Ezra Brown, jun. Jonathan Tuttle, Blaney Lewis, Nathan Lewis, and Leonard Curn, with such others as shall hereafter associate with them, together with their families and estates, be, and they hereby are incorporated into a religious society, by the name of The Eastern Methodist Society in Lynn,

Persons in-
corporated.

Proviso.

with all the powers, privileges and immunities, to which all other parishes within this Commonwealth are by law entitled : *Provided however*, That the persons set off as aforesaid, shall be holden to pay their proportion of all monies assessed in each of the other religious societies in said town, for p'rochial purposes, to which he or she formerly belonged.

May hold
estate.

SEC. 2. *Be it further enacted*, That the said Corporation may hold the lot of land, whereon they have lately built a meeting-house, together with said meeting-house, and such other estate, real and personal, as the Corporation shall determine to own : *Provided*, that the annual income of the whole estate of the Corporation, beside the meeting-house and land under it, shall not exceed two thousand dollars ; and the said Corporation may sue and be sued by its corporate name, and may make and use a common seal, and break and alter it at pleasure ; and may make any by-laws for the government thereof, and for the management of the corporate property, that a major part of the members present (calculating according to their respective interests as is hereafter set forth) shall think best : *Provided*, the same are not contrary to the constitution and laws of this Commonwealth.

Proviso.

May assess
& ws.

SEC. 3. *Be it further enacted*, That the proprietors or owners of the pews in the meeting-house, belonging to said Society, shall be solely authorised and empowered to vote in, and manage the concerns of said Corporation, and they, with their families and estates, and not the persons who occasionally hire pews or seats in said house, shall be liable to all assessments or taxes for the charges of the said paaish ; and in all cases two votes and no more may be given in the right of each pew, and the said Corporation are hereby authorised to raise by an assessment on the pews in said meeting-house, such sum and sums of money for the maintenance of a minister or ministers, for repairing the meeting-house, and for defraying the other expenses of public worship, with incidental charges, as the aforesaid voters shall agree on at a legal meeting to be called for that purpose.

SEC. 4. *Be it further enacted*, That if any proprietor of such pew or pews shall neglect to pay any assessment which shall be legally made thereon as aforesaid, for one year after the same shall have been made, the Treasurer

of the said Corporation, for the time being, shall be authorised and empowered to sell and convey all the estate, share and interest of such delinquent proprietor in the said Corporation, at public auction, first giving notice thereof, fourteen days at least previous to the sale, at the door of the said meeting-house; and upon such sale to execute a good and sufficient deed or deeds thereof to the purchaser; and after deducting the amount of such delinquent's assessment, together with legal interest thereon from the time the same was made, and all incidental costs and charges, the Treasurer shall pay the surplus, if any there be, to such delinquent proprietor.

Treasurer to
sell shares.

SEC. 5. *Be it further enacted*, That when any member of the said Eastern Methodist Society shall see cause to leave the same, notice must be given by him or her to the Clerk of said Society, of such an intention; and in every case, such person shall be held to pay his or her proportion of all parochial expenses incurred previous to the leaving said Society.

Manner of
leaving the
Society.

SEC. 6. *Be it further enacted*, That any Justice of the Peace in the county of Essex is hereby authorised, upon application of three of the said Society, to issue a warrant for calling the first meeting of said Society, to be directed to some member of said Society, to be served as in said warrant shall be directed; and said Society may, at said meeting, agree upon a method of calling future meetings.

Justice to
issue war-
rant.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXIX.

An Act to annex Jason Hartshorn and others to the Third Parish in Roxbury.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Jason Hartshorn, Joseph Heath, Josiah Foster, Jonathan Smith, Paul Gore, Isaac Davis, jun. James Watson, Elisha Seaverns, Aaron Kingsbury, Sears Hearsey, and Ebenezer Hearsey, with their families and estates, be, and they are hereby set off from the first, and annexed to the third parish in Roxbury: *Provided*, That each of the persons herein named shall be

Set off.

holden to pay his respective proportion of taxes assessed upon him, and due to the said first parish, prior to the date of this act.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXX.

An Act regulating the packing and selling of paper within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all paper, excepting press paper, bonnet paper, and such as is usually sold by weight, which from and after the first day of May next, shall be made or offered for sale within this Commonwealth, shall be packed in reams or parts of reams, each ream containing twenty quires, and each quire twenty-four sheets, and each package or parcel shall be stamped with the name of the manufacturer or manufacturers, and his or their place of residence, and also with the quantity of paper each package or parcel shall contain.

Paper to be stamped.

SEC. 2. *Be it further enacted,* That any and every person so making and offering for sale, or selling paper not packed and stamped as aforesaid, or which shall not contain the quantity so stamped thereon, shall for each offence forfeit and pay the sum of four dollars, for each package so offered for sale or sold, to be recovered in an action of debt, in any Court having jurisdiction to try the same, one moiety thereof to the use of the county in which such offence shall be committed, the other moiety thereof to the use of the person suing for the same, and all such paper not stamped as aforesaid, or which shall not contain the quantity so stamped thereon, shall also at all times be liable to be seized to the use of any person who may seize the same; *Provided,* the person so seizing shall within seven days after the seizure, commence his action as aforesaid, and shall prosecute the same to the recovery of the penalty aforesaid.

Penalty

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXI.

An Act to establish a Literary Institution in the District of Maine, within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That there be erected and established in the District of Maine, in the township hereafter mentioned, a Literary Institution, for the purpose of educating youth, to be called and known by the name of The Maine Literary and Theological Institution, to be under the government and regulation of a body politic, as in this act is hereafter described.

Institution
established.

SEC. 2. *Be it further enacted,* That Daniel Merrill, Caleb Blood, Sylvanus Boardman, Thomas Green, Robert Low, Benjamin Titcomb, Thomas Francis, Ransom Norton, Daniel Mc. Masters, Hon. James Campbell, Samuel Stinson, John Hovey, David Nelson, Alford Richardson, John Haynes, Samuel Baker, Joseph Bailey, Phineas Pilsbury, Hezekiah Prince, Moses Dennitt and John Neal, together with the President and Treasurer of the said Institution for the time being, to be chosen as in this act is hereafter directed, be, and hereby are erected a body politic and corporate, by the name of The President and Trustees of the Maine Literary and Theological Institution; and that they and their successors, and such others as shall be duly elected members of the said Corporation, shall be and remain a body politic and corporate, by that name forever.

Persons in-
corporated.

SEC. 3. *Be it further enacted,* That for the more orderly conducting the business of the said Corporation, the President and Trustees shall have full power and authority, from time to time as they shall determine, to elect a Vice-President, Treasurer and Secretary of said Corporation, and to declare the tenure and duties of their respective offices, and also to remove any Trustee from the said Corporation, when in their judgment he shall be rendered incapable by age or otherways, of discharging the duties of his office, and to fill up all vacancies in the said Corporation, by electing such persons for Trustees

May choose
officers.

Proviso. as they shall judge best: *Provided nevertheless*, That the number of the said Corporation, including the President of the said Institution, and the Treasurer for the time being, shall never be greater than thirty-one, nor less than twenty-one.

SEC. 4. *Be it further enacted*, That the said Corporation may have one common seal, which they may change, break or renew, at their pleasure; and that all deeds signed and delivered by the Treasurer, and sealed with their seal, by the order of the Corporation, shall, when made in their corporate name, be considered in law, as the deed of the said Corporation; and that the said Corporation may sue and be sued, in all actions real, personal and mixed, and may prosecute and defend the same to final judgment and execution, by the name of The President and Corporation of the Maine Literary and Theological Institution; and that the said Corporation shall be capable of having, holding and taking in fee simple, or any less estate, by gift, grant, devise or otherwise, any lands, tenements or other estates real or personal: *Provided nevertheless*, That the annual clear income of the same shall not exceed the sum of thirty thousand dollars.

Proviso

SEC. 5. *Be it further enacted*, That the said Corporation shall have full power and authority to determine at what times and places their meetings shall be holden, and on the manner of notifying the Trustees, to convene at such meetings, and also from time to time, to elect a President and Treasurer of said Institution, and such Professors, Tutors, Instructors, and other officers of the said Institution, as they shall judge most for the interest thereof; and to determine the duties, salaries, emoluments and tenures of their several officers aforesaid; The said President for the time being, when elected and inducted into his office, to be ex-officio, President of the said Corporation; and the said Corporation are further empowered to purchase or erect and keep in repair, such houses and other buildings, as they shall judge necessary for the said Institution, and also to make and ordain, as occasion may require, reasonable rules, orders and by-laws, not repugnant to the laws of this Commonwealth, with reasonable penalties for the good government of said Institution, and also to determine and prescribe the mode of ascertaining the qualifications of the students requisite to their ad-

May purchase buildings.

mission : *Provided nevertheless*, That no corporate business shall be transacted at any meeting, unless thirteen at least of the Corporation are present.

SEC. 6. *Be it further enacted*, That the clear rents, issues and profits of all the estate, real and personal, of which the said Corporation shall be seized or possessed, shall be appropriated to the endowment of the said Institution, in such manner as shall most effectually promote virtue and piety, and a knowledge of such of the languages, and of the liberal arts and sciences, as shall be hereafter directed from time to time by the said Corporation.

Estate, how appropriated.

SEC. 7. *Be it further enacted*, That the Hon. John Woodman, Esq. be, and he is hereby authorised and empowered to fix the time and place for holding the first meeting of the said Corporation, of which he shall give notice by an advertisement in a Portland, and one other eastern news-paper, at least fourteen days previous to the time of said meeting.

First meeting.

SEC. 8. *Be it further enacted*, That the Treasurer of said Corporation shall, before he enters upon the execution of the duties of his office, give bonds to the said Corporation, in such sums and with such sureties as they shall approve of, conditioned for the faithful discharge of the said office, and for rendering a just and true account of his doings therein, when required ; and that all the money, securities and other property of the said Corporation, together with all the books in which his accounts and proceedings as Treasurer were entered and kept, that shall be in his hands at the expiration of his office, shall, upon demand made upon him, his executors or administrators, be paid and delivered over to his successor in that office, and all monies recovered by virtue of any suit at law, upon such bond, shall be paid over to the Corporation aforesaid, and subjected to the appropriation above directed in this act.

Treasurer to give bonds.

SEC. 9. *Be it further enacted*, That the Legislature of this Commonwealth may grant any further powers to, or alter, limit, annul or restrain any of the powers by this act vested in the said Corporation, as shall be judged necessary to promote the best interests of the said Institution ; and the said Corporation shall be holden to render an account to the Legislature, whenever they shall see fit to

require it, of all their proceedings, and the manner of disposing of the funds of said Institution.

Township
granted.

SEC. 10. *Be it further enacted*, That there be, and hereby is granted a township of land six miles square, to be laid out and assigned from any of the unappropriated lands belonging to this Commonwealth, in the District of Maine, under the same restrictions, reservations and limitations, as other grants, for similar purposes, are now usually made; the same to be vested in the Corporation of said Institution, and their successors forever, for the use, benefit and purpose of supporting said Institution, to be by them holden in their corporate capacity, with full power and authority to settle, divide and manage the same tract of land or township, or any part thereof, or to sell, convey or dispose of the same, for settlement only, and to no one person a larger quantity than one thousand acres, in such way and manner, as shall best promote the welfare of said Institution; the same to be laid out under the direction of the committee for the sale of eastern lands, and a plan thereof returned to the Secretary's office, within three years after the expiration of the present war with Great-Britain.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXII.

An Act to preserve and regulate the eel fishery in the town of Chatham.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the first day of September next, it shall not be lawful for any person not an inhabitant of the town of Chatham, to take within the limits of said town, any eels, without a permit in writing from the major part of the selectmen of the said town, expressing the name of the person, and the quantity permitted to be taken; and every person so offending shall forfeit and pay for every dozen so taken, the sum of twenty-five cents; *Provided nevertheless*, That the major part of the selectmen for the time being shall have power

Penalty.

to give permits in writing to any person to take eels in said town of Chatham, at such times and in such quantities as they shall deem reasonable, and express in their permit: *Provided also,* That every inhabitant of said town of Chatham without such permit, shall have a right to take eels within the limits of said town for the use of his family.

Proviso.

SEC. 2. *Be it further enacted,* That if any boat, cart, sled, horse or craft, shall be found within the limits of said town of Chatham, and not owned therein, with any eels taken within the limits of the said town, without a permit as aforesaid from the selectmen, it shall be lawful for any of the fish wardens, or for any inhabitant or inhabitants of the town of Chatham, to seize and detain the same, not exceeding twenty-four hours, in order that the same, if need be, may be attached or arrested by due process of law, in that time to answer the said fines and forfeitures, with cost of suit.

SEC. 3. *Be it further enacted,* That all fines and forfeitures which may be incurred thereby, shall enure one half to him or them who may sue for the same, and the other half to the said town of Chatham; and the same shall be recovered with legal costs of suit, in an action of debt, before any Justice of Peace for the county of Barnstable not interested therein.

Fines and
forfeitures.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXIII.

An Act to enlarge the Jurisdiction of the Municipal Court in the town of Boston.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Municipal Court in the town of Boston shall have original jurisdiction concurrent with the Supreme Judicial Court, of all crimes and offences arising or happening within the county of suffolk, not capital; and the said Municipal Court shall and may exercise such jurisdiction, any law, usage or custom, to the

contrary notwithstanding; saving to any party the right of appeal to the said Supreme Judicial Court, as is now provided by law in other cases.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXIV.

An Act authorising certain punishments in cases therein mentioned.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whenever any person or persons shall or may be prosecuted to conviction before the Supreme Judicial Court of this Commonwealth, for any crime or misdemeanor, which is now by law punishable by whipping, standing in the pillory, sitting on the gallows, or imprisonment in the common gaol of the county, such Court may, at their discretion, in cases not already provided for, in lieu of the punishments aforesaid, order and sentence such convict or convicts to suffer solitary imprisonment, for a term not exceeding three months, and to be confined to hard labour, for a term not exceeding five years, according to the aggravation of the offence.

Punishment
altered.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXV.

An Act to prevent towns from choosing and returning more than their constitutional number of Representatives.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That every town in this Commonwealth, which shall in any year, choose and return a Representative to the House of Representatives in the General Court, when it shall not be constitutionally en-

titled to a Representative ; and every town in this Commonwealth, which shall in any year elect and return to the House of Representatives in the General Court, a greater number of Representatives, than such towns shall be constitutionally entitled to, shall forfeit and pay a sum not less than one hundred dollars, nor more than three thousand dollars, at the discretion of the Court before whom the conviction may be had, for each and every such Representative so unconstitutionally elected and returned.

SEC. 2. *Be it further enacted*, That the fines and forfeitures mentioned in this act shall and may be recovered by information or indictment before the Supreme Judicial Court, Circuit Court of Common Pleas, or Court of Common Pleas for the county of Duke's county, holden in and for the counties respectively, in which any town may be, incurring the penalties of this act ; one half whereof shall enure to the use of the complainant who shall prosecute therefor, and the other to the use of the Commonwealth.

Fines, how recovered.

SEC. 3. *Be it further enacted*, That every and all penalties, fines and forfeitures, which may accrue by virtue of any breach of this act, in the town of Boston, in the county of Suffolk, shall be prosecuted as aforesaid, either before the Supreme Judicial Court, or Circuit Court of Common Pleas, to be holden in and for the county of Middlesex, and every and all penalties, fines and forfeitures, which may accrue by means of any breach of this act, in the town of Nantucket, shall and may be prosecuted as aforesaid, either before the Supreme Judicial Court, or Circuit Court of Common Pleas, to be holden in the county of Suffolk.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXVI.

An Act establishing The Taunton and Dighton Turnpike Corporation.

SEC. 1. **B**E *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Thomas S. Baylies, Samuel Crocker, Hilliard Earl, James Sproat, Job W. Hall and

Persons incorporated.

John West, together with such persons as have associated or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Taunton and Dighton Turnpike Corporation, for the purpose of laying out and making and keeping in good repair a turnpike road, beginning at or near Taunton Green, in the town of Taunton, in the county of Bristol, thence proceeding on the most favourable route to Warren, in the State of Rhode Island, so far as this Commonwealth extends; and for this purpose shall have all the powers and privileges, and be subject to all the duties, requirements and penalties contained in an act entitled, "An act defining the general powers and duties of turnpike Corporations," passed the sixteenth day of March, one thousand eight hundred and five.

SEC. 2. Be it further enacted, That the Proprietors of the said turnpike shall be allowed to erect and keep two gates, and shall be entitled to demand and receive the following rates of toll at said gates, viz. for each coach, chariot, phaeton or other four wheel carriage, for pleasure or travelling, drawn by two horses, twenty-five cents, and if drawn by more than two horses, two cents for each additional horse; for each cart or waggon, drawn by two horses or oxen, ten cents, and if by more, one cent for each additional beast; for every sled or sleigh, drawn by two horses or oxen, eight cents, and one cent for each additional beast; for every cart, waggon, truck, sled or sleigh, drawn by one horse only, six cents; for every curricule, fifteen cents; for every chaise, chair, sulkey or other carriage for pleasure, drawn by one horse, twelve and an half cents; for every man and horse, four cents; for all horses, mules or neat cattle, led or driven, not in teams or carriages, one cent each; and for all sheep or swine, at the rate of three cents by the dozen.

SEC. 3. Be it further enacted, That said Corporation, shall not, without the consent of the owner or owners of any land over which said road shall pass, throw open the fences or other enclosures upon the same, or make said road, or in any way injure the property of any owner or owners of such lands, until the damages done by the passing of said road through such land, shall have been first ascertained by a committee, who may by law be authorised to assess the same, and such damages, so assessed,

Committee
to assess
damages.

shall have been paid or tendered to the person entitled to receive the same : *Provided however*, That nothing herein contained shall be construed to prevent said Corporation, their agents or servants, from entering on any land to survey or lay out the same.

Proviso.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXVII.

An Act for incorporating certain persons for building a bridge over Androscoggin river, between Lisbon and Durham, and for supporting the same.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ezekiel Thompson, Nathan Nye, Samuel Holbrook, Nathan Wesson, Jacob Johnson, Daniel Dunham, James Johnson, Thomas Means, Cornelius Dillingham, Joseph Lufkin, Solomon Dennison, Samuel Talbert, James W. Purrington, Thomas Roberts, Melvin Stow, Isaac Tibbetts, Paul C. Tibbetts, John Tibbetts, Benjamin Whitney, jun. Joseph Woodward and William Woodward, be, and they are hereby constituted a Corporation and body politic, for the purpose of building and supporting a bridge over Androscoggin river, between Lisbon and Durham, so long as they shall continue to be proprietors in the fund to be raised for that purpose, together with all those who are or shall hereafter become proprietors of the said fund, under the name of The Proprietors of Lisbon Bridge ; and by that name may sue and prosecute, and be sued or prosecuted to final judgment and execution, and do and suffer all other matters and things, which bodies politic may and ought to do and suffer, and that said Corporation shall and may have full power and authority to make, have and use a common seal, and the same to break and alter at pleasure.

Persons incorporated.

SEC. 2. *Be it further enacted*, That Ezekiel Thompson, Nathan Nye, and Samuel Holbrook, or any two of them, may, by posting up advertisements in the towns of Lisbon and Durham, in some public places, call a meeting of said Proprietors, to be holden at any proper place,

May call meeting.

May choose
officers.

Proviso.

after fifteen days from the posting up said advertisements; and the Proprietors, by a vote of the majority of those present or represented at the said meeting, shall have power to choose a Clerk and such other officers as may be deemed necessary; to establish by-laws, agree on the mode of calling future meetings, and at the same or subsequent meetings, may transact any business for the benefit of said Corporation; *Provided*, it be not repugnant to the constitution or laws of this Commonwealth; and this act, and all rules, regulations and votes of said Corporation shall be fairly and truly recorded by the Clerk, in a book or books for that purpose.

Toll estab-
lished.

SEC. 3. *Be it further enacted*, That for the purpose of reimbursing said Proprietors, the monies by them expended, or that may hereafter be expended in building and supporting said bridge, a toll be, and is hereby granted and established, for the sole benefit of said Proprietors, according to the rates following, that is to say, for each foot passenger, two cents; for each person and horse, six cents; for each chaise or sulkey, drawn by one horse, ten cents; for each sleigh, drawn by one horse, six cents; for each sleigh, drawn by two horses, seven cents; for each coach, phaeton or curricule, twenty cents; for each cart or waggon, sled, or other carriage of burthen, drawn by one or two beasts, seven cents; and for each additional beast in the same team, one cent; and for each wheelbarrow, hand-cart or other vehicle, capable of carrying a like weight with one person, three cents; for neat cattle or horses, other than those rode or in carriages, or teams, one cent each; for sheep and swine, at the rate of six cents the dozen; and to each team, one person and no more shall be allowed as a driver, for the toll as established for teams. And at all times when the toll-gatherer shall not attend to his duty, the gate or gates shall be left open, and the said toll shall commence on the day of the opening said bridge for passengers, and shall continue for the benefit of the said Corporation forever; *Provided*, that after the term of thirty years, the rate of toll shall be subject to the regulations of Government.

Proviso.

SEC. 4. *Be it further enacted*, That said bridge shall be well built, at least twenty-eight feet wide, of good and suitable materials, and be well covered with plank or timber suitable for such a bridge, with sufficient rails on

each side for the safety of passengers, and the same shall be kept in good, safe and passable repair. And the Proprietors, at the place or places where the toll shall be received, shall erect and keep constantly exposed to view, a sign or board with the rates of toll, of all the tollable articles fairly and legibly written thereon, in large or capital letters.

SEC. 5. *Be it further enacted*, That the place where the bridge shall be built, shall be at or near the foot of the Ten Mile Falls, so called, in the towns of Lisbon and Durham. Bridge,
where built.

SEC. 6. *Be it further enacted*, That if the said Proprietors shall neglect, for the space of six years from the passing this act, to build and erect said bridge, then this act shall be void and of no effect.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXVIII.

An Act in addition to an act, entitled, "An act to incorporate The Proprietors of Fresh Pond Meadows, for the purpose of draining them."

SEC. 1. **B**E *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Proprietors of Fresh Pond Meadows may erect at the bridge on the county road between Cambridge and West Cambridge, and from time to time, keep a gate or machine for the pupose of facilitating the draining the Fresh Pond Meadows (so called) in the towns of Cambridge and West Cambridge; Shall keep
a gate. *Provided*, that the said gate or machine may be kept open by the selectmen of either of the towns of Cambridge or West Cambridge, from the first day of March to the fifteenth day of June, in each and every year, for the free passage of fish. Proviso.

SEC. 2. *Be it further enacted*, That if it shall be found that the time aforesaid is not sufficient for the free passage of shad and alewives, that on the application of the selectmen of either of the towns of Cambridge or West Cambridge, the Court of Sessions, for the county

of Middlesex, may direct that the said gate or machine shall be kept open for such further time as may be deemed necessary for the preservation of said fish.

Penalty in
case of wil-
ful injury.

SEC. 3. *Be it further enacted*, That if any person shall wilfully destroy, injure or impede the operation of the said gate or machine, the person so offending, shall forfeit and pay for each offence, a sum not exceeding one hundred dollars, nor less than twenty dollars, to be recovered before any Court proper to try the same, one half to the use of the informer, and the other half to the use of the Proprietors of the Fresh Pond Meadows aforesaid.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXXXIX.

An Act making further allowance to the Judge of Probate for the county of Cumberland, for his service in that office.

Proviso.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the twenty-sixth day of February, one thousand eight hundred and eleven, the Treasurer of the county of Cumberland, be, and he hereby is authorised and directed to pay to the Judge of Probate for the county of Cumberland for the time being, such sum as, together with the fees of office, shall be equal to three hundred dollars per annum; *Provided*, That the said Judge shall keep an account of all fees by him taken in said office, and shall present said account, attested by the Register of Probate, to the Treasurer of said county, at the end of each year.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXL.

An Act directing the mode and time of making returns of the several incorporated banks in this Commonwealth to his Excellency the Governor and the Honourable Council.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Directors of the several banks, which are or may be incorporated within this Commonwealth, shall on the first Monday of January and June in every year, and as much oftener as may be required of them, make a return of the state of their several banks, as it existed on the day immediately preceding the Monday aforesaid, and that they transmit the same as soon thereafter as may be, not exceeding fifteen days, to the Secretary of this Commonwealth; which return shall specify the amount of the capital stock actually paid in, the value of the real estate belonging to the Corporation, the amount of all debts due, and of the cash deposited, bills in circulation, gold, silver and other coined metals on hand, bills of other banks, incorporated by the State, bills of other banks, incorporated elsewhere, bills of one, two and three dollars in circulation, and the amount of said bills on hand, the rate and amount of the last dividend of profits, with the amount of reserved profits of said bank; which said returns shall be signed by a majority of the Directors, and by the Cashier of the several banks, who shall make oath or affirmation before some Magistrate qualified to administer oaths, and who shall have no interest in said corporate body, to the truth of said return, according to their best knowledge and belief.

Returns,
when made:

SEC. 2. *Be it further enacted*, That all such parts of the existing laws of this Commonwealth, as relate to the mode and time of making returns of the state of the several banks incorporated by the Legislature of this Commonwealth, be, and they are hereby repealed.

Laws re-
pealed.

SEC. 3. *Be it further enacted*, That in case the Directors of any bank, incorporated in this Commonwealth,

Penalties,
how recov-
ered.

shall neglect or refuse to comply with the provisions of this act, the said Corporation shall forfeit and pay the sum of five thousand dollars for each neglect or refusal, to be sued for and recovered in an action of debt, by either the Attorney or Solicitor General, for the use of the Commonwealth.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLI.

An Act in addition to, and for repealing the First Section of an act, entitled, "An act regulating the selection, the empannelling, and the services of Grand, Traverse and Petit Juries, and repealing all laws, or clauses of laws, touching these subjects, so far as they are provided for by this act."

Act repeal-
ed.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the first section of an act, entitled, "an act regulating the selections, the empannelling, and the services of Grand, Traverse and Petit Jurors, and repealing such laws or clauses of laws, touching these subjects, so far as they are provided for by this act," made and passed on the twelfth day of March, in the year of our Lord, one thousand eight hundred and eight, be, and the same is hereby repealed.

Duty of the
Selectmen.

SEC. 2. *Be it further enacted,* That the selectmen, in each town or district in this commonwealth, shall provide, and at all times cause to be kept in their respective towns, one jury-box, and shall, before the first day of June next, and once at least in every three years afterwards, prepare a list of such persons, under the age of seventy years, in their respective towns, as they shall judge well qualified to serve as Jurors, being persons of good moral character, and qualified as the constitution directs, to vote in the choice of Representatives, excepting the Governor, Lieutenant Governor, Counsellors, Judges, and Clerks of the Common Law Courts, Secretary and Treasurer of the Commonwealth, Loan officers, and Revenue officers, Judges and Registers of Probate, Registers of Deeds,

settled Ministers of the gospel, Officers of any college,¹ Preceptors of incorporated academies, Physicians and Surgeons regularly authorised, Cashiers of incorporated banks, Sheriffs and their Deputies, Marshalls and their Deputies, Counsellors and Attornies at law, Justices of the Court of Sessions, Criers of the Judicial Courts, Constables and constant Ferrymen; and having written their names upon tickets, they shall cause them to be placed in a box to be called the jury-box, and shall then lay the whole of their doings before the town for a revision, who may confirm the same, or make such alterations therein as they may deem proper; and the said box shall be held and kept by the town or district Clerk; and the persons whose names shall be continued in said box, shall be liable to be drawn, and serve on any Jury, at any Court for which they may be drawn, once in every three years and not oftener.

Persons ex-
empted.

SEC. 3. *Be it further enacted*, That it shall be the duty of the several towns and districts to provide and have constantly kept in said box, ready to be drawn when required, a number of Jurors, equal at least to one for every sixty persons which said town or district may contain, computing by the last census which may have been taken, next before the preparing the box.

Duty of the
several
towns.

SEC. 4. *Be it further enacted*, That all other parts of the act herein before recited, so far only as the same are inconsistent with the provisions of this act, be, and the same hereby are repealed.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLII.

An Act to repeal and alter certain parts of the act therein mentioned.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of the third section of the act, entitled, an act to repeal an act, entitled, "An act to invest the committee of the second precinct in Rehoboth with corporate powers for certain purposes therein mentioned, and to incorporate a number of the inhabitants

Act repeal-
ed

of said precinct, by the name of the Catholic Congregational Church and Society, in the second precinct in the town of Rehoboth," as provides that the annual income of the fund appropriated for the support of the ministry in the second precinct in the town of Rehoboth, shall be limited to five hundred dollars, be, and the same is hereby repealed; and the annual income of the said fund shall be, and hereby is allowed to be augmented and extended to one thousand dollars, and the Trustees of the said Catholic Congregational Church and Society in the said second precinct shall be, and they are hereby further empowered to receive donations and subscriptions, both real and personal, to such an amount as that the annual income from the said fund shall produce the said sum of one thousand dollars, and the said income from rents, issues and profits, shall be applied and used, as in the aforesaid act is directed.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLIII.

An Act to incorporate The Trustees of the Congregational Ministerial Fund in Concord.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That John White, Francis Jarvis and John L. Tuttle, and such others as shall hereafter be duly appointed, be, and they hereby are incorporated and made a body politic and corporate, by the name of The Trustees of the Congregational Ministerial Fund in Concord.

May hold
estate.

SEC. 2. *Be it further enacted,* That the said Corporation may have and use a common seal, and the same may break, alter and renew at pleasure, shall be capable of suing and being sued, in any actions real, personal or mixed, in any Court having jurisdiction thereof, shall or may take and hold in fee simple or otherwise, by purchase, gift, grant or devise, any estate, real, personal or mixed, and may sell and dispose thereof at pleasure, not using the same in trade or commerce, may make and ex-

ecute any by-laws and rules for the government of the Corporation, which the Trustees may think expedient, not repugnant to the laws of this Commonwealth, and may appoint such officers, and invest them with such powers as they may think fit.

SEC. 3. *Be it further enacted*, That the end and design of the aforesaid Corporation, be to obtain and secure a fund, the income of which shall be appropriated by the said Trustees, for the support of a gospel minister of the Congregational denomination of christians in the town of Concord. Income, how appropriated.

SEC. 4. *Be it further enacted*, That whenever any of the Trustees shall have died or resigned their office as such, the vacancy shall be supplied by the vote of the inhabitants of said town qualified to vote in town affairs, at any town meeting legally called for that purpose. Vacancies, how supplied.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLIV.

An Act against perjury, and subornation of perjury.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person being lawfully required to depose the truth in any proceeding in a course of justice, shall commit any manner of wilful perjury, every person so offending, and being thereof convicted before any Justice of the Supreme Judicial Court, shall be punished by solitary imprisonment, for a term not exceeding three months, and by confinement afterwards to hard labour, for a term not less than two years, and not exceeding fifteen years. Punishment for perjury.

SEC. 2. *Be it further enacted*, That if any person shall commit subornation of perjury, by procuring another person to commit wilful and corrupt perjury as aforesaid, every person guilty of such subornation of perjury, and being thereof duly convicted, shall be liable to, and suffer the same punishment and disability, as in this act is provided for the punishment of wilful perjury.

SEC. 3. *Be it further enacted*, That if any person shall wilfully and corruptly endeavour to incite or to procure another person to commit wilful and corrupt perjury as aforesaid, and the person so incited do not commit such perjury, the person so corruptly endeavouring to incite and procure the committing of perjury, shall be punished by solitary imprisonment, for a term not exceeding two months, and by confinement afterwards to hard labour, for a term not exceeding five years.

SEC. 4. *Be it further enacted*, That the oath of any person offending in any manner aforesaid, and thereof duly convicted as aforesaid, shall not be received in any Court of record, until such time as the judgment given against such person shall be reversed.

Proviso. SEC. 5. *Be it further enacted*, That an act, entitled, "an act against perjury and subornation of perjury," passed the ninth day of March, in the year of our Lord one thousand seven hundred and eighty-five, shall be and the same is hereby repealed; *Provided*, that the same shall be and remain in force for the cognizance, trial and punishment of the crimes and offences therein mentioned, committed before the passing of this act, and respecting all proceedings and matters thereon arising, this repeal to the contrary notwithstanding.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLV.

An Act to authorise the sale of lands in the town of Strong, reserved for the use of the ministry and schools, and to incorporate Trustees for that purpose.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William Read, William Hiscock, Joseph Kersey, Henry Davis, Thomas Hunter, Reuben Dyer and Samuel Patterson, be, and they are hereby appointed Trustees to sell all the ministerial and school lands in the town of Strong, in the county of Somerset; and the monies arising from the sale of said lands to put out at interest in the manner hereinafter directed;

Trustees incorporated

and the said Trustees are hereby made, and shall hereafter be known, in law and in fact, a body politic and corporate, by the name of The Trustees of the Ministerial and School Funds in the town of Strong; and they and their successors in that office, shall have and use a common seal, and by the name aforesaid, may sue and be sued in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, and shall exercise all other powers and privileges incident to, and usually given to, and exercised by Corporations of a like nature and purpose.

SEC. 2. *Be it further enacted*, That the said Trustees, and their successors in office, shall annually elect a President, and a Clerk to record the doings of the said Trustees, and a Treasurer to receive and apply the monies belonging to the said funds, as is directed in this act, and also any other needful officers or agents, for the better managing their business; and all such elections shall be by written votes, and the inhabitants of the said town of Strong, who are qualified to vote in town affairs, at their annual town meetings for the choice of town officers, shall have the privilege to elect three persons as associates with the before named Trustees, and after the said Corporation shall be duly organised according to the provisions of this act, one of the said three associates chosen as aforesaid, shall annually retire by lot, and the vacancy so made shall be supplied by a new election, so that one new member of the said Corporation may be elected annually forever.

May elect officers.

SEC. 3. *Be it further enacted*, That the number of the said Trustees shall never exceed ten, nor be less than six, any five of whom may be a quorum for doing business; and they shall have power from time to time to fill up vacancies in their number, happening by death, resignation or otherwise; and they shall also have power to remove any one of their number, who by reason of age, infirmity, misconduct, or any other cause, may become unable or unfit to discharge his duty, and to supply any vacancy so occasioned, by a new choice from the inhabitants of said town; and the said Trustees and each of them shall be responsible to the said town of Strong, for their personal misconduct or neglect, whether they be officers or not, and liable to prosecution for any loss or damage to the said funds arising thereby; and the debt or damage,

May supply vacancies.

Treasurer to
give bonds.

recovered in such suit, shall be considered as belonging to said funds, and applied accordingly, and the said Trustees shall hold a meeting annually in March, and as often as the affairs of the said fund may require, which meetings shall be notified and called in such way and manner as the said Trustees, at any meeting, may order and direct; and the Treasurer of the said funds shall give bonds to the acceptance of the said Trustees, for the faithful performance of his duty, and to be at all times responsible for the faithful application and expenditure of the monies which may come into his hands, conformable to the true intent and meaning of this act, and for all negligence or misconduct of any kind, in his said office; and the Clerk shall be sworn to the faithful discharge of his duty.

May sell
lands.

SEC. 4. *Be it further enacted*, That the said Trustees be, and they are hereby authorised to sell and convey all the ministerial and school lands in the said town of Strong, which were reserved in its grant and location, and to make, execute, acknowledge and deliver good and sufficient deeds thereof, which deed or deeds subscribed by the Treasurer, and countersigned by the Clerk, with the seal affixed, shall be good and effectual in law to convey the fee simple from said town to the purchaser; and all the monies arising from the ministerial and school lands in the said town of Strong, shall be put to use, as soon as may be, and secured by mortgage on real estate to the full value of the property sold, or money loaned, or by two or more sureties with the principal, unless the said Trustees shall think it more expedient to invest the same in public funded securities or bank stock, at their discretion.

Duty of
Trustees.

SEC. 5. *Be it further enacted*, That it shall be the duty of the said Trustees, to keep distinct accounts of the monies accruing from the sale of the said school lands, from those of the ministerial lands, and of the interest arising therefrom, respectively; which accounts, they and their successors in office, shall exhibit to the town at their annual meeting for the choice of town officers, and the said Trustees and others who may by them be employed in the business of the said funds, shall receive no compensation from the monies of the said funds, but a reasonable compensation may be made to them, and the Treasurer, or other officers or agents, by the town at their

discretion; and the interest accruing on the monies coming from the sale of the said ministerial lands shall be appropriated, and uniformly applied for the support of the gospel ministry in the said town of Strong; and shall be divided between the religious societies of the several denominations in the said town, according to their numbers respectively, in such proportions as shall be voted and determined by the said Trustees, and the interest accruing on the monies coming from the sale of the said school lands shall be appropriated, and uniformly applied for the support of instruction in the public free schools in the said town of Strong; and it shall never be in the power of the said town to alienate or alter the appropriation of the said funds, provided in this act.

Interest how
appropriat-
ed.

SEC. 6. *Be it further enacted*, That any Justice of the Peace for the county of Somerset, upon application therefor, is hereby authorised to issue a warrant directed to one of the Trustees before named, requiring him to notify and call the first meeting of the said Trustees, at such convenient time and place as shall be appointed in the said warrant, to organize the said Corporation, by the election and appointment of its officers.

Justice to
issue war-
rant.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLVI.

An Act in addition to an act, entitled, "An act to prevent damage by mischievous dogs.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the first day of April next, every person who shall own or keep any dog or dogs, shall cause to be placed about the neck of each dog so by him owned or kept, and constantly worn by such dog, a collar with the name and place of residence of such owner or keeper of any dog or dogs, legibly marked on the same.

Dogs to
wear col-
lars.

SEC. 2. *Be it further enacted*, That from and after the said first day of April next, it shall be lawful for any person to kill any dog or dogs found and being without a collar as aforesaid.

May kill
dogs.

SEC. 3. *Be it further enacted,* That the owner or keeper of any dog shall forfeit and pay to the person injured, double the amount of the damage done by such dog, to be recovered by action of trespass, before any Court proper to try the same.

[Approved by the Governor, Feb. 27, 1813.]

CHAP. CXLVII.

An Act in addition to an act, entitled, "An act to incorporate The Proprietors of Cambridge Port Manufactory."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all persons, who are or shall hereafter become Proprietors in the Corporation, styled "The Cambridge Port Manufactory," in the act to which this is in addition, be, and hereby are authorised to manufacture printing types, and those articles usually manufactured in chemical laboratories.

[Approved by the Governor, Feb. 27, 1813.]

END OF FEBRUARY SESSION, 1813.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 3d. 1813.

By this I certify, that the acts or laws contained in the foregoing pamphlet, which were passed by the Legislature of the Commonwealth at the October Session, A. D. 1812, and at the Winter Session, in January and February, A. D. 1813, have been examined and compared with the originals in this office, and appear to be correct excepting in the following instances, viz. page 139, 19th line from the top, for "interested," read *interest*; page 163, 11th line from the bottom, read or *who* shall be; same page, last line, for "life," read *lifetime*; page 186, 4th line from top, for "Kingsman," read *Kinsman*; page 220, 11th line from the top, for "conformable," read *conformably*.

ALDEN BRADFORD, { *Secretary of the*
 { *Commonwealth.*

L A W S

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT AT THE SESSION

COMMENCING ON THE

26th DAY OF MAY, AND ENDING ON THE 16th DAY OF JUNE,

ONE THOUSAND EIGHT HUNDRED AND THIRTEEN.

CHAP. I.

An Act in further addition to an act, entitled “An act to incorporate Nicholas Thorndike and others, into a company by the name of The Beverly Marine Insurance Company.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That such further time, not exceeding four years, from and after the twenty-fourth day of August next, be allowed to the stockholders in the Beverly Marine Insurance Company, named in an act, entitled “An act to incorporate Nicholas Thorndike and others, into a company, by the name of the Beverly Marine Insurance Company,” to pay in the residue, being the last moiety of the instalments, and amounting in all to fifty dollars on a share, in the capital stock of the said Company, as the Directors thereof may judge proper; and that the said residue shall be paid in at such times, and in

Further time
allowed to
pay instal-
ments.

Proviso.

such proportions as the said Directors shall order and appoint, within the period aforesaid. *Provided however*, That nothing in this act shall be construed to exonerate, or discharge the estates of the said stockholders from being liable, in the manner and for the purposes mentioned in the tenth section of the said original act, in addition to which this act is made.

[Approved by the Governor, June 8, 1813.]

CHAP. II.

An Act concerning the conveyance of real estate in this Commonwealth, for the security and benefit of the School Fund of Connecticut, consenting to and approving thereof.

Preamble.

WHEREAS it is represented to this General Court, that the state of Connecticut have, by a permanent appropriation, constituted a fund for the support of free schools, and that sundry citizens of this Commonwealth have become debtors to said fund, and that for the accommodation of said citizens, as well as the security of said fund, it has been found convenient to make conveyances of real estate in this Commonwealth, to said state of Connecticut, or the agent or Trustees of said state, for the use and benefit of said School Fund; and it appearing to this General Court, that the establishment of said Fund is for a benevolent purpose, and will be of great public benefit :

Conveyance
of real estate
consented to.

BE it, therefore, enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the consent and approbation of this Commonwealth be, and the same is hereby given to all conveyances of real estate in this Commonwealth, which have been, or may be made to the state of Connecticut, or an agent or trustee of said state, for the security, protection, and benefit of said School Fund; and the same shall be as valid in law, to all intents and purposes, as if such conveyance had been made to a citizen of this Commonwealth; and such real estate may be transferred by any agent duly authorized thereto by said state of Connecticut, in the same manner as is provided

by the laws of this Commonwealth, for transferring real estate. This act to continue in force, during the pleasure of the legislature of this Commonwealth.—*Provided how-* Proviso:
ever, That nothing herein contained, shall be so construed as to affect any action now pending.

[Approved by the Governor, June 8, 1813.]

CHAP. III.

An Act to incorporate The Trustees of the Ministerial Fund, in the town of Berkley.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Toby, Levi French, Luther Crane, George Sanford, jun. Samuel French, John Dillingham, Barzillai Hathaway, Christopher Paull, Barzillai Crane, and Dean Burt be, and they hereby are constituted and made a body politic and corporate, by the name of The Trustees of the Ministerial Fund in the town of Berkley; and they, and their successors shall, by that name, continue to be a body politic and corporate forever, and shall have power to make and use a common seal, subject to be altered at their pleasure; and may sue, and be sued in any action, real, personal, or mixed, and prosecute and defend the same to final judgment and execution. Persons incor-
porated.

SEC. 2. *Be it further enacted,* That the said Trustees shall forever hereafter, in the month of August annually, and at such other times as may be found necessary for the transaction of their business, hold a meeting in the said town of Berkley, at such time and place as a major part of said Trustees, for the time being, by an advertisement posted up in some public place in said town, seven days at least before such meeting, shall appoint and direct; and shall at such annual meeting elect a President to preside in their meetings, a clerk to record the votes and proceedings of the Trustees at their regular meetings, in a book or books to be kept for that purpose, and who shall be sworn to the faithful discharge of his trust; and a Treasurer to receive and apply the monies as herein after Annual
meeting of
Trustees.

directed. And the said Trustees are further authorized and required, at any meeting regularly called for that purpose, in the manner above prescribed, to supply from the inhabitants of said town, any vacancies which may from time to time be occasioned by the death, resignation, or removal of any of the said Trustees, or either of their officers aforesaid.

Duty of
Trustees.

SEC. 3. *Be it further enacted*, That it shall be the duty of the said Trustees and their successors, to receive and manage all monies now raised and appropriated as a fund for the support of a Congregational minister in the said town of Berkley, and also to receive, manage and improve all such estate, real, personal and mixed, as may hereafter come to them, in their said corporate capacity, for the purpose aforesaid, by gift, grant, devise or otherwise, by operation of law, not exceeding in the whole, the amount or value of eight thousand dollars, in such way and manner as in their judgment will best obtain and secure the end of their Incorporation; and they are also hereby authorised and empowered to lease, sell or convey in fee simple, or otherwise, all or any part of the estate which may come to them in their said corporate capacity, and for that purpose to make, execute and acknowledge any good and sufficient deed or deeds thereof, which deed or deeds, when signed by the President, countersigned by the Clerk, and sealed with their common seal, shall be valid in law, to convey such estate to the purchaser, according to the conditions and meaning of such instrument.

Money to be
loaned on in-
terest.

SEC. 4. *Be it further enacted*, That all money coming to the said Trustees, in their said corporate capacity, shall be loaned on interest, and secured by the bond or note of the borrower, with sufficient surety or sureties, or by his bond or note, with mortgage on real estate to the satisfaction of the said Trustees, or they may invest all or any part of said money in public funded securities or bank stock, as they may think best: and whenever the annual interest or income of the said ministerial fund, whether real or personal estate, shall amount to the sum of one hundred and twenty dollars, the Trustees shall make a statement thereof to the said town, and the said annual interest or income may then be applied for, and toward the support of such Congregational minister as then shall be, or from time to time thereafter, may be

settled by the Church and Congregation in said town to preach the gospel in the meeting-house, or place of public worship near the centre of said town; or the said annual interest or income may remain for a longer time in the hands of said Trustees to increase the principal of the said fund, as the inhabitants of the said town at a legal meeting to be called for that purpose, may, by a major vote, determine and direct.—*Provided* that the principal of the said fund, shall at no time exceed the amount or value of eight thousand dollars. And the said town shall not have the power to change the appropriation of the said fund from the support of such congregational minister as aforesaid, or to alienate, alter or diminish the principal thereof, if, by such alienation, alteration, or diminution, the said principal shall be reduced to a less sum or value than eight thousand dollars.

Provided.

SEC. 5. *Be it further enacted,* That the said Treasurer before entering on the duties of his said office, shall give to the said Trustees and their successors his bond, with surties to the satisfaction of the said Trustees for the faithful discharge of the duties of his said office; and the said Treasurer shall be the receiver of all monies and effects due, owing, or coming to the said Trustees, and shall have the care and custody of all monies effects, obligations, securities, and evidences of property, belonging to the said Trustees, to be accountable therefor; and shall render a fair and regular account of all his doings, and of the property and effects in his hands, whenever thereto required by the said Trustees, and shall dispose of the same as they shall order and direct, and shall deliver over to his successor in the same office as soon as may be, all the books, papers, property, and evidences of property in his hands, in good order and condition.

Treasurer to give bonds.

His power and duty.

SEC. 6. *Be it further enacted,* That the said Trustees and their successors, shall be accountable to the said town of Berkley for the said Ministerial Fund, and for their management thereof; and shall be liable to the said town, in their own private property and persons respectively, for any embezzlement, negligence or misconduct, in their said capacities as Trustees; and the said town of Berkley may commence and prosecute, to final judgment and execution, an action of trespass on the case against the said Trustees, or any of them, or their successors, for any such

Trustees accountable.

embezzlement, negligence or misconduct; and all damages recovered in such action, shall be applied to increase the said Ministerial Fund; and whenever judgment shall be rendered against any one, or more of the said Trustees in such action, such Trustee or Trustees shall be held and considered thereby, to be removed from his or their said trust, and the vacancy or vacancies thus made, shall be supplied in manner as is herein before provided.

[Approved by the Governor, June 9, 1813.]

CHAP. IV.

An Act in addition to an act, entitled "An act authorizing the sale of a part of the Ministerial Lands, in the first parish in the town of Standish."

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That deacon Jonathan Philbrick, Mr. Bryan Martin, Edward Thompson, Daniel Cram, jun. and John Sanborn, the Trustees named in an act, entitled "An act authorizing the sale of a part of the Ministerial Lands in the first parish in the town of Standish," passed the twenty-fifth day of February, in the year one thousand eight hundred and twelve be, and they hereby are authorized to sell and convey, in fee simple, the thirty acre lot, whereon the meeting-house stands in said town, (excepting and reserving out of the north west corner of said lot, one half acre of land to be laid out ten rods fronting on the main road, and to extend back eight rods, whereon the meeting-house stands,) and to make, execute, and acknowledge a good and sufficient deed or deeds, which deed or deeds subscribed by the name of their Treasurer by direction of said Trustees, with their seal thereto affixed, shall be good and effectual in law, to pass and convey the fee simple from said parish to the purchasers to all intents and purposes whatsoever.

Trustees authorized to sell lands.

SEC. 2. *Be it further enacted,* That the Trustees herein named, and their successors, shall proceed in the sale of said land, and in the appropriating the interest arising

therefrom, in the same way and manner as they are required by the act to which this is in addition.

[Approved by the Governor, June 9, 1813.]

CHAP. V.

An Act to alter the times of holding the Courts of Sessions in the county of Washington.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the Court of Sessions for said county of Washington, shall be holden on the first Mondays of March and September annually, at Machias, in said county, instead of the times heretofore established by law; and that all petitions, recognizances, warrants, reports and processes whatsoever, shall be returned to, be entered, have day in, and be proceeded upon in the same Court, to be holden on the said first Mondays of March and September, any law to the contrary notwithstanding.

Court of Sessions; time of holding altered.

[Approved by the Governor, June 9, 1813.]

CHAP. VI.

An Act to incorporate The Berwick Manufacturing Company.

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Micajah Currier, Robinson Palmer, Ambrose Allen, Josiah W. Scaver, William Hight, Brackett Palmer, Timothy Ferguson, Benjamin Nasine, Joshua Roberts, and Benjamin Haggins, together with such others as may hereafter associate with them, their successors and assigns be, and they are hereby made a Corporation, by the name of The Berwick Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth and Yarn, in the town of Berwick, in the county of York; and for the purpose aforesaid, shall have

Persons incorporated.

all the powers and privileges, and shall also be subject to all the duties and requirements, prescribed and contained in an act, entitled "An act defining the general powers of Manufacturing Corporations," passed the third day of March eighteen hundred and nine.

SEC. 2. *Be it further enacted,* That the said Corporation, in their corporate capacity shall, and may lawfully hold and possess such real estate, not exceeding the value of thirty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid.

[Approved by the Governor, June 10, 1813.]

CHAP. VII.

An Act to incorporate the proprietors of meadow lands, in the town of Deerfield.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after passing this act, David Hoit, Seth Nims, David Sheldon, Seth Sheldon, Solomon Williams, John Bardwell, Joseph Cleason, Dennis Stebbins, Zadock Hawks, Quartus Wells, Asa Stebbins, Joseph Stebbins, and Thomas Wells Dickinson, together with such others as may hereafter become proprietors be, and they hereby are incorporated into a body politic, by the name of The Proprietors of Plain Swamp Brook Meadows, and by that name may sue and be sued, and do and suffer all matters, acts or things, which bodies politic may or ought to do and suffer.

SEC. 2. *Be it further enacted,* That any Justice of the Peace in the county of Franklin be, and he hereby is empowered and directed, upon application in writing from three or more of said proprietors, to issue his warrant to one of the proprietors aforesaid, requiring him to notify and warn a meeting of said proprietors, at such time and place as he shall think most convenient for the purposes to be expressed in said warrant, by posting up a copy of said warrant, with the notification thereon, at the house of public worship in the town-street in said town, seven days at

least before the time of holding said meeting; and the said proprietors, when legally assembled as aforesaid, shall have power to choose a clerk, assessors, collector, and treasurer, who shall be sworn to the faithful discharge of the trust reposed in them, and continue to serve until others are chosen and sworn in their places, which may be annually; which officers chosen and sworn as aforesaid, shall have the same power to perform, execute, and carry any vote or order of said Corporation into full effect, as town officers of like description have by law to do and perform; and said Corporation shall, at their first meeting, agree and determine upon the method for calling future meetings; and said Corporation shall, at their first meeting, or any other meeting legally called for that purpose, have power to vote and raise monies for the purpose of draining off the stagnant water from said Meadow, from time to time, as shall be found necessary for the better improvement of said lands, and for paying all other expenses, that shall be found necessary for carrying the votes and orders of said Corporation into effect; and all monies raised as aforesaid, shall be assessed upon each proprietor in the Meadows aforesaid, in proportion to the number of acres, or the value thereof, he or she owns; and if any proprietor shall refuse or neglect to pay the sum or sums assessed upon him or her, as aforesaid, after thirty days notice, so much of his or her meadow-land shall be sold at public vendue by the collector, as will be sufficient to pay the same, with legal costs, after posting up notice of the time and place of said sale, at three or more public places in said town, thirty days at least before the time of said sale.

Proprietors
to choose of-
ficers.

Corporation
may raise
money.

Penalty for
neglecting to
pay assess-
ments.

[Approved by the Governor, June 10, 1813.]

CHAP. VIII.

An Act in addition to an act, entitled “An act to incorporate Isaac Story and others, by the name of The Marblehead Social Insurance Company.”

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the further time of four years,*

Further time
allowed to
pay instal-
ments.

from and after the seventeenth day of July next, be allowed to the stockholders of the Marblehead Social Insurance Company, to pay in the residue of the capital stock of said Company, amounting to fifty dollars on each share, and being the last moiety of their instalments of the sum of one hundred thousand dollars, the capital stock of said Company; and that the said residue shall be paid in such proportions, and at such periods within the time mentioned, as the Directors of said Company for the time being, shall order and appoint, any thing in the act to which this act is in addition, or in the act of incorporation of said Company, to the contrary notwithstanding; and that so much of the ninth section of the act aforesaid, entitled "An act establishing a Corporation, by the name of The Marblehead Social Insurance Company," passed the seventeenth day of June, in the year of our Lord one thousand eight hundred and nine, as restricts the legal transfer or assignment, of any share or shares of the stock in said Company, be, and the same is hereby repealed.—*Provided however,* That nothing in this act shall be construed to exonerate, or discharge the estates of the stockholders of said Company from being liable, in the manner and for the purposes mentioned in said act, to which this is in addition.

Proviso.

[Approved by the Governor, June 10, 1813.]

CHAP. IX.

An Act to render valid the doings of the Court of Sessions, in the county of Hancock.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the proceedings of the Justices of the Court of Sessions, for the county of Hancock, at the several Sessions of said Court, holden at Castine, in said county, subsequent to the first day of April, one thousand eight hundred and twelve, be, and the same hereby are made valid in law, in as full and ample a manner, as though the Sessions of said Court had been holden on the several days prescribed by an act passed the twenty-

Proceedings
made valid.

ninth day of February, one thousand eight hundred and twelve, entitled "An act to fix the times of holding the Court of Sessions, in the respective counties in this Commonwealth," any provision contained in said act to the contrary, notwithstanding.

[Approved by the Governor, June 10, 1813.]

CHAP. X.

An Act to establish The Union Manufacturing Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Oliver Clap, Warren Clap, Benjamin Billings, Daniel Ellis, Daniel Payson, Edward G. Cundall, and Oliver Eldridge, together with such others as may hereafter join and associate with them, their successors and assigns be, and they hereby are made a Corporation, by the name of The Union Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Walpole, in the county of Norfolk; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine. Persons incorporated.

SEC. 2. *Be it further enacted,* That the said Corporation may lawfully hold and possess such real estate, not exceeding the value of twenty-five thousand dollars, and personal estate not exceeding the value of fifty thousand dollars, as may be convenient and necessary for carrying on the Manufacture aforesaid. May hold real and personal estate.

[Approved by the Governor, June 10, 1813.]

CHAP. XI.

An Act in addition to, and explanation of an act, entitled
 “An act establishing and regulating the Fees of the
 several officers, and other persons hereafter mentioned,
 and for repealing the laws heretofore made for that pur-
 pose.”

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That in every action hereafter pending in any Circuit Court of Common Pleas, within this Commonwealth, which shall be defaulted, without being submitted to a Jury, or the Writ read to them, after an issue in fact be joined, the Justices of the said Court, the Officers' fees. Clerk thereof, or the Attorney in such action, shall receive or tax no other or greater Fees, than they severally would have been entitled to receive and tax, had no such issue been joined; any law, usage, or custom, to the contrary notwithstanding.

[Approved by the Governor, June 10, 1813.]

CHAP. XII.

An Act to incorporate the North Parish, in the town of Sutton, into a separate town, by the name of Millbury.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all the lands comprised within the North Parish, in the town of Sutton, in the county of Worcester, as the same is now bounded, together with the farm on which Joshua Chase now lives in said town, with all the inhabitants dwelling thereon be, and they hereby are incorporated into a town, by the name of Millbury, and vested with all the powers, privileges, and immunities, and subject to all the duties and requirements of other incorporate towns, agreeably to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted,* That the inhabitants of the said town of Millbury, shall be holden to pay all the arrears

of taxes which have been assessed upon them by the town of Sutton; and shall also support and maintain all such persons, as heretofore have been, now are, or hereafter may be inhabitants of that part of Sutton, hereby incorporated, and are, or may become chargeable, according to the laws of this Commonwealth, and who have not obtained a settlement elsewhere therein.

Holden to
pay arrears
of taxes.

SEC. 3. *Be it further enacted*, That the inhabitants of the said town of Millbury, shall be entitled to receive and hold such proportion of all debts now due, and assessments already voted to the said town of Sutton, and also such proportion of all the real and personal property of the town of Sutton, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of Millbury bears to the property of all the inhabitants of the said town of Sutton, according to the last valuation thereof; and they shall also be holden to pay their proportion, (to be ascertained as aforesaid,) of all the debts now due, and owing from the said town of Sutton; and the inhabitants of said Millbury, or any religious Society therein, shall furthermore be entitled to receive and hold such proportion as they are now entitled to, if any, of the ministerial money raised by the sale of ministerial lands in said Sutton, which money is now in the hands of the first Congregational Society in said town.

Entitled to
proportion of
real and per-
sonal prop-
erty.

SEC. 4. *Be it further enacted*, That in case the dividing line between the said town of Millbury and the said town of Sutton, should happen to divide the farms of any of the inhabitants of either said towns, the said inhabitants shall be taxed for the whole of their home farm in that town only, where they may respectively dwell.

SEC. 5. *Be it further enacted*, That any Justice of the Peace, for the county of Worcester, upon application therefor, is hereby authorized to issue his warrant, directed to any freeholder in the said town of Millbury, requiring him to notify and warn the inhabitants thereof, to meet at such time and place, as may be appointed in said warrant, for the choice of all such town officers, as towns are by law required to choose at their annual town meetings.

Justice au-
thorized to
issue war-
rant.

[Approved by the Governor, June 11, 1813.]

CHAP. XIII.

An Act to incorporate The Palmer's River Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Paul Nelson, Asa Bullock, Gideon Peck, James Nichols, and Benjamin Norris, and others who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of 'The Palmer's River Manufacturing Company, for the purpose of manufacturing Cotton and Woollen goods at Rehoboth, in the county of Bristol; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act, defining the general powers and duties of manufacturing Corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred and fifty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactures aforesaid, in the town of Rehoboth.

[Approved by the Governor, June 11, 1813.]

CHAP. XIV.

An Act in addition to an act, entitled "An act to incorporate sundry persons, by the name of The President, Directors and Company of the Northampton Bank."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the act, entitled "An act to incorporate sundry persons by the name of The President,

Directors, and Company of the Northampton Bank," and also an act in addition thereto, passed the eighteenth day of June, in the year of our Lord one thousand eight hundred and three, shall continue and remain in force for and during the term of five years, from and after the first Monday of October next, so far as to make the said President, Directors and Company capable in law, during the term aforesaid, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatsoever; and they shall also have power to sue out, and cause to be executed, final process in any suit in which they may be a party, or may be interested; and to make, execute and deliver proper and legal conveyances, or releases of any real estate of which they may be seized and possessed, any thing in either of the acts aforesaid to the contrary notwithstanding.

Act of incorporation continued.

[Approved by the Governor, June 11, 1813.]

CHAP. XV.

An Act to set off part of the town of Monmouth, and to annex the same to the town of Winthrop.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the following described tracts of land, with the inhabitants thereon, be set off from the town of Monmouth in the county of Kennebeck, and annexed to the town of Winthrop in the same county, by the following described lines, to wit: beginning on a pond called Chandler's South Pond, where the line between great back lots, number twenty-one and twenty-two, as run by Obadiah Williams, strikes said pond; thence northerly on said pond to the south line of said town of Winthrop; thence west north-west about one mile and twenty-nine rods to the west end of lot number seventy-eight; thence on the easterly end of said lot to the south-east corner thereof; thence south, twenty-two and an half degrees west, to the line between said great back lots, number twenty-one and twenty two; thence on said lines easterly to the pond aforesaid. And the said tract of land,

Boundaries described.

with the inhabitants thereon, is hereby set off from said town of Monmouth and annexed to the town of Winthrop. And the said inhabitants shall hereafter be considered inhabitants of said town of Winthrop, and shall there exercise and enjoy all their civil rights and privileges, and shall also be subject to all their civil duties and requisitions, in like manner with the other inhabitants of said town. *Provided however,* That the said inhabitants shall be holden to pay all taxes heretofore legally assessed on them by the said town of Monmouth, in the same manner as if this act had not passed.

Proviso.

[Approved by the Governor, June 11, 1813.]

CHAP. XVI,

An Act to incorporate The Medford Wire Factory Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Isaac P. Davis, John L. Sullivan, Richard Sullivan, and George Sullivan, with such other persons as may hereafter be associated with them, their successors and assigns, be, and they hereby are made a Corporation and body politic, by the name of The Medford Wire Factory Company, for the purpose of manufacturing wire in the town of Medford; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed March the third, one thousand eight hundred and nine, entitled "An act, defining the general powers and duties of manufacturing Corporations."

Persons incorporated.

May hold real and personal estate.

SEC. 2. *Be it further enacted,* That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of twenty thousand dollars, and such personal estate not exceeding the value of forty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, June 11, 1813.]

CHAP. XVII.

An Act to incorporate The First Baptist Society in Wilton, in the county of Kennebeck.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Jedidiah Adams, Samuel Baker, Jeremy Bean, Ebenezer Brown, Levi Dakin, Levi Dakin, jun. Rufus Dresser, Moses Farmer, Daniel Hardy, Job Hardy, John Lake, Edward Lock, Leonard Merry, Peter Parker, Nehemiah Rainger, John Reed, Ebenezer Seales, Jonah Spaulding, Isaac Tripp, Humphry Tripp, Joseph Willard, and John F. Wood, with their families and estates, together with such others as may hereafter associate with them for religious purposes, according to the provisions of this act, be, and they are hereby incorporated as a religious society, by the name of The First Baptist Society in Wilton, with all the powers and privileges, and subject to all the duties and obligations of other religious societies, according to the constitution and laws of this Commonwealth.

Persons incorporated.

SEC. 2. *Be it further enacted*, That any inhabitant living in either of the towns of Wilton, Temple, Farmington, and Chesterville, in the county of Kennebeck, or in the town of Jay, in the county of Oxford, who may desire to become a member of the said First Baptist Society in Wilton, shall have right so to do, by declaring such desire and intention in writing, and deliver the same to the clerk of said Baptist Society, fifteen days before the annual meeting; and shall also deliver a copy of the same to the clerk of the town, or to the clerk of any other religious society with which such person has been before connected, fifteen days before the annual meeting thereof. And if such person doth receive and produce to such clerk a certificate of admission, signed by the minister or clerk of the said Baptist society, certifying that he or she has united with, and been received as a member thereof, such person, from the production of such certificate, with his or her polls and estate, shall be considered as members of the said Baptist society, and shall be exempted from tax.

Manner of becoming a member.

ation to the support of any other religious society, in the town or parish where such person may dwell.

Manner of
leaving the
society.

Proviso.

SEC. 3. *Be it further enacted*, That when any member of the said First Baptist Society may see cause to leave the same, and to unite with any other religious society in the town where such person may dwell, the like notice and process of a written declaration and certificate shall be made and given, mutatis mutandis, as is prescribed in the second Section of this act. *Provided always*, That in every case of secession from one Society and joining with another, the person so seceding shall be holden in law to pay his or her proportion or assessment of all parochial or society debts and expenses voted or assessed, and not paid prior to such secession.

Justice to is-
sue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, upon application therefor, is hereby authorised to issue a warrant, directed to one of the members of the said First Baptist Society in Wilton, requiring him to notify and warn the members thereof to meet at such convenient time and place as may be expressed in said warrant, to organize the said society, by the choice and appointment of its officers.

[Approved by the Governor, June 11, 1813.]

CHAP. XVIII.

An Act to incorporate The Central Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William Carr, James Ellis, Joseph Smith, jun. and others, who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Central Manufacturing Company, for the purpose of manufacturing Cotton and Woollen goods at Seekonk, in the county of Bristol; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hun-

dred and nine, entitled "An act, defining the general powers and duties of manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of three hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactures aforesaid in the town of Seekonk.

May hold real and personal estate.

[Approved by the Governor, June 11, 1813.]

CHAP. XIX.

An Act to incorporate The Wiscasset Marine Insurance Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That David Payson, Joseph T. Wood, Samuel Coney, Abiel Wood, William M. Boyd, John Dole, Samuel Millar, Moses Carleton, jun. Thomas M. Crate, William Nickels, James Kavanagh, Matthew Cottrill, John Boyinton, Benjamin Sewall, Henry Roby, Samuel E. Smith, Joshua Hilton, Ezekiel Cutter and Thomas Nickels, together with such persons as have already, or hereafter may become Stockholders in said Company, being citizens of the United States, be, and are hereby incorporated into a Company or body politic, by the name of The Wiscasset Marine Insurance Company, for and during the term of twenty years from the passing of this Act, and by that name may sue and be sued, plead or be impleaded, appear, prosecute and defend to final judgment and execution, and have a common seal which they may alter at pleasure, and may purchase, hold and convey any estate, real or personal, for the use of the said company, subject to the restrictions hereinafter mentioned.

Persons incorporated.

Name.

Powers.

SEC. 2. *Be it further enacted*, That a share in the capital stock of the said company shall be one hundred dollars, and the number of shares shall be one thousand, and if the said number of shares are not already filled, subscriptions shall be kept open under the inspection of the

Shares.

President and Directors of the said company, until the same shall be filled, and the whole capital stock, estate or property which the said company shall be authorised to hold shall never exceed one hundred thousand dollars, exclusive of premium notes, or profits arising from said business, of which capital stock or property, twenty thousand dollars only shall be invested in real estate.

Management
of property.

SEC. 3. *Be it further enacted*, That the stock, property, affairs and concerns of the said company shall be managed and conducted by nine Directors, one of whom shall be the President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and shall be elected on the first Tuesday in March in each and every year, at such times of the day, and at such place in the town of Wiscasset, as a majority of the Directors for the time being shall appoint; of which election public notice shall be given in at least two Newspapers, one printed at Portland, and one printed in some town adjoining Kennebeck River, and continued for the space of fifteen days immediately preceeding such election. And such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock; *provided* that no stockholder shall be allowed more than twenty votes; and the Stockholders not present may vote by proxy, under such regulations as the said company shall prescribe. And if in case of any unavoidable accident the said Directors should on the said first Tuesday of March not be chosen as aforesaid, it shall be lawful to choose them on another day, in manner herein prescribed.

Proviso.

Election of
President.

SEC. 4. *Be it further enacted*, That the Directors, so chosen, shall meet as soon as may be after every election, and shall choose out of their body one person to be President, who shall preside for one year, and until another be chosen and qualified in his stead, and be sworn faithfully to discharge the duties of his office; and in case of the death, resignation, or inability to serve, of the President or any Director, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen,

by a special election for that purpose, to be held in the same manner as is herein before directed respecting annual elections for Directors and President.

SEC. 5. *Be it further enacted*, That the President and four of the Directors (or five of the Directors in the absence of the President) shall be a board competent to transact business, and all questions before them shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of said Company, and the transfer of the shares, and touching the duties and conduct of the several officers, clerks and servants employed, and the election of Directors, and all such matters as appertain to the business of Insurance ; and shall also have power to appoint a Secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem proper. *Provided* that such by-laws, rules, and regulations, shall not be repugnant to the constitution or laws of this Commonwealth.

By-laws,
Rules, &c.

SEC. 6. *Be it further enacted*, That there shall be stated meetings of the Directors at least once in every month, and as often within each month as the President and board of Directors shall deem proper. And the President and a Committee of three of the Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business ; and the said board of Directors and the Committee aforesaid, at and during the pleasure of the said board, shall have power and authority, in behalf of said Company, to make insurance upon vessels, freight, money, goods and effects, and against captivity of persons, and on the life of any person during his absence at sea, and in cases of money lent upon bottomry and respondentia, and to fix the premiums and terms of payment ; and all policies of insurance by them made shall be subscribed by the President, or in case of his death, sickness, inability, or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said Company, and have the like effect and force as if under the seal of said Company ; and the assured may thereupon maintain an action upon the

Meetings of
the Direc-
tors.

Provision in
case of ab-
sence or
death.

case against the said Company ; and all losses duly arising under any policy so subscribed, may be adjusted and settled by the President and board of Directors, and the same shall be binding on the said Company.

Duties of the Directors. SEC. 7. *Be it further enacted,* That it shall be the duty of the Directors, on the first Tuesday of July and January, in every year, to make dividends of so much of the interest arising from the capital stock, and the profits of the said Company, as to them shall appear advisable ; but the monies received, and the notes taken for premiums on risks, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as part of the profits of the Company ; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened, each proprietor's or stockholder's estate shall be held accountable for the deficiency that may be due on his share or shares at the time of said loss or losses taking place, to be paid into the said Company by assessments, or such other mode, and at such time or times as the Directors shall order ; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital. And that once in every two years, and oftener, if required by a majority of the votes of the stockholders, the Directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the profits, if any there be, after deducting losses and dividends, and also a particular statement of the whole concerns of said Company.

Investment of the funds of the Company. SEC. 8. *Be it further enacted,* That the said Company shall not directly or indirectly, deal or trade in buying or selling any goods, wares, merchandize, or commodities whatever ; and the capital stock of said Company, after being collected at each instalment, shall, within ninety days, be invested either in the funded debt of the United States, or of this Commonwealth, or in any stock of the United States, or of any incorporated bank in this Commonwealth, at the discretion of the President and Directors of said Company, or of other officers which the proprietors shall for such purpose appoint.

Monies due. SEC. 9. *Be it further enacted,* That fifty dollars on each share in the said Company, shall be paid within six months after the first meeting of said Company, and the remaining sum due on each share, within twelve months from

the time of the first payment aforesaid, at such equal instalments, and under such penalties as the said Company shall direct ; and no transfer of any share in said Company shall be permitted or be valid, until all the instalments on such shares shall have been paid.

SEC. 10. *Be it further enacted*, That in case of any loss or losses taking place that shall be equal to the amount of the capital stock of the said Company, and the President or Directors, after knowing of such losses having taken place, shall subscribe to any policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any, and every loss that shall take place under policies thus subscribed ; and that no person, being a Director of any Company, carrying on the business of Marine Insurance, shall be eligible as a Director of the Company by this act established.

Officers' estates accountable for default.

SEC. 11. *Be it further enacted*, That the President and Directors of the said Company shall, previous to their subscribing to any policy, and once in every year after, publish in two Newspapers, one printed at Portland, and one printed in some town adjoining on Kennebeck river, the amount of their stock, against what risks they mean to insure, and the largest sum they mean to take on any one risk.—*Provided nevertheless*, That the said President and Directors shall not be allowed to take any more on any one risk, than ten per centum of the amount of the capital stock of said Corporation actually paid in.

Proviso.

SEC. 12. *Be it further enacted*, That the President and Directors of the said Company shall, when and so often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said Company, and submit to an examination, concerning the same, under oath.

Statement of affairs to be rendered.

SEC. 13. *Be it further enacted*, That any four of the stockholders, are hereby authorized to call a meeting of the members of said Company as soon as may be, in Wiscasset, by advertising the same three weeks successively, in one Newspaper printed in Portland, and posting up advertisements thereof, in the town of Wiscasset, fourteen days previous to said meeting.

Stockholders authorized to call meeting.

[Approved by the Governor, June 11, 1813.]

CHAP. XX.

An Act to incorporate a Manufacturing Company in the town of Middleborough.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Abiel Washburn, George Leonard, Levi Pierce, Peter H. Pierce, William Bourne, Joseph Bourne, John Borden, jun. John Tinkham, Ephraim Leonard, Edward Sparrow, jun. Wilkes Wood, James Sprout, and Abraham Wilson, with such others as may hereafter be associated with them, their successors and assigns, be, and hereby are made a Corporation, by the name of The New-Market Manufacturing Company, for the purpose of manufacturing Iron, and also Cotton and Woollen Cloth, and Yarn, in the town of Middleborough, in the county of Plymouth; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted,* That the said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and possessed of such personal estate, not exceeding the value of one hundred and fifty thousand dollars, as may be necessary and convenient for carrying on the Manufactures aforesaid.

[Approved by the Governor, June 11, 1813.]

CHAP. XXI.

An Act to incorporate The Holliston Cotton and Woollen Manufactory.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Elihu Cutler, James Wight, Oliver Leland, Timothy Fisk, Aner Fisk, James Cutler,

and Nathan Fairbanks, together with such other persons as already have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Holliston Cotton and Woollen Manufactory, for the purpose of manufacturing Cotton and Wool, at Holliston, in the county of Middlesex; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the Manufacture of Cotton and Wool, at Holliston aforesaid.

May hold
real and per-
sonal estate.

[Approved by the Governor, June 11, 1813.]

CHAP. XXII.

An Act to incorporate the plantation heretofore called Beaver Hill, into a town, by the name of Freedom.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the plantation heretofore called Beaver Hill, in the county of Kennebeck, as described within the following boundaries, be, and the same is hereby incorporated into a town, by the name of *Freedom*, viz. Northerly on the town of Unity, easterly on the town of Montville, southerly on the town of Palermo, and westerly on the town of Fairfax; and the said town of Freedom is hereby vested with all the powers and privileges, and shall be also subject to the like duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Town incor-
porated.

Boundaries..

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, is hereby authorized

Justice to is- to issue a warrant, directed to a freeholder and inhabitant
sue Warrant. of the said town of Freedom, requiring him to notify and
warn a meeting of the qualified voters therein, to meet at
such convenient time and place as shall be appointed in
the said warrant, for the choice of such officers as towns
are by law required to choose, at their annual town meet-
ings.

[Approved by the Governor, June 11, 1813.]

CHAP. XXIII.

An Act concerning Jurors.

Time ex-
tended.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the time for preparing a list of persons for one jury box, as provided for and required by an act, entitled “An act in addition to, and for repealing the first section of an act, entitled An act regulating the selection, impannelling, and the services of grand and petit juries, and repealing all laws or clauses of laws touching these subjects, so far as they are provided for by this act,” passed on the twenty-seventh day of February, in the year one thousand eight hundred and thirteen, be, and the same hereby is extended to the first day of September, in the year last mentioned, any thing in said act to the contrary notwithstanding.

[Approved by the Governor, June 12, 1813.]

CHAP. XXIV.

An act in addition to an act, entitled “An act subjecting the real estates of Banking Corporations to be taken and sold at public auction, for the payment of their debts.”

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of

August next, all the right, title, claim, and interest of any Bank now incorporated, or which may be hereafter incorporated by law, in any lands, tenements, or hereditaments, which have been or shall be mortgaged for security of any debt due or assigned to such Bank, shall be liable to be seized and sold on any writ of execution issued on any judgment rendered, or which may hereafter be rendered by any Court of law within this Commonwealth, and sold at public auction, in the same manner as is prescribed for the sale and conveyance of the real estates of such Banks, in the act to which this is an addition.

Property liable to be taken to satisfy executions.

SEC. 2. *Be it further enacted,* That any debt secured by such mortgage, and due to such Bank at the time of the sale of such mortgage, shall pass by the deed of conveyance executed by the officer who shall serve such writ of execution, and be completely, and to all intents and purposes transferred to, and vested in such purchaser; and such purchaser, or his legal representatives, may, in his own name, maintain any action proper to recover such debt, or to obtain possession of such lands, tenements, or hereditaments, which might have been maintained in the name of such Bank, had no such sale been had; and the copy of such mortgage deed, duly certified by the Register of Deeds for the county or district where such lands are situated, and where such mortgage deed shall be recorded, shall be considered *prima facie* evidence of such mortgage deed, and of the note or other obligation on which such mortgage is founded, and that the same were remaining due and unsatisfied at the time of the trial of such action; and it shall be the duty of the Cashier or Clerk of such Bank, on reasonable request, to furnish such officer, who shall serve such execution, or the judgment creditor, with a certified copy of such note or other obligation, together with a copy of all the endorsements thereon, and a statement of all such payments as shall have been made thereon by such debtor; and whenever such debtor shall have paid to such purchaser the amount due on such note or obligation, he shall be forever discharged from such note or obligation.

Duty of Cashier or Clerk.

SEC. 3. *Be it further enacted,* That no gift, sale, transfer, conveyance or endorsement of such note or mortgage, made by such Bank, after notice to such Bank and such debtor of the seizure thereof, on execution by such officer

Gift or sale by the Bank not valid.

for purpose of sale under this act, shall have any validity, force, or effect against such purchaser under such sale at auction, but the same shall be adjudged null and void, except only between such Bank and such person to whom such Bank shall make such gift, sale, transfer, conveyance, or endorsement, their heirs, executors, administrators, and assigns.

[Approved by the Governor, June 12, 1813.]

CHAP. XXV.

An Act to set off Silas Atkins, jun. and others from the town of Truro, and annex them to the town of Provincetown.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Silas Atkins, jun. Henry Dyer, Joshua Atkins Mayo, Charles Parker, Isaiah Atkins, Samuel W. Atkins, Nathaniel Atkins, Conrad Disher, John Stone, and Job Dyer Hill, with their families and estates, together with all other persons living on the first and second lots in Truro, adjoining said Provincetown, shall be, and they hereby are set off from said town of Truro, and annexed to said town of Provincetown, and shall forever hereafter be subject to all the duties, and entitled to all the privileges of citizens and inhabitants of Provincetown. *Provided however,* That said persons so set off, shall be liable to pay all taxes that have been legally assessed on them by said town of Truro, in the same manner as if this act had not passed. *And provided further,* That until a new valuation of polls and estates shall be taken and made, the said town of Provincetown shall be liable to pay over to the town of Truro, all such sums of money as shall be levied and collected from the persons set off as aforesaid, as their proportion of the state and county taxes.

SEC. 2. *Be it further enacted,* That the dividing line between the town of Truro and the town of Provincetown, shall in future be the line between the second and third lots of said town of Truro as they have been heretofore known, and as the said line now runs across the Cape

Persons set
off from the
town Truro.

Proviso.

Boundaries.

from the waters of the harbour, upon the south, inside, to the sea, upon the north or back side.

[Approved by the Governor, June 12, 1813.]

CHAP. XXVI.

An Act extending the time for paying the instalments of the capital stock of 'The Mechanics' Bank in Newburyport.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the first instalment of the said Capital stock shall be paid on or before the first day of July next, the second on or before the first day of October next, the third on or before the first day of January next, and the fourth on or before the first day of April next; and such payments shall, in all respects, be as valid, as if they had been made agreeably to the second section of the act of their incorporation, any thing in the said act to the contrary notwithstanding.

Further time
allowed to
pay instal-
ments.

[Approved by the Governor, June 12, 1813.]

CHAP. XXVII.

An Act to incorporate the inhabitants of Plantation numbered two, in the third range of townships, north of the Waldo Patent, in the county of Hancock, into a town, by the name of Levant.

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Plantation numbered two, in the third range, north of the Waldo Patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is established a town, by the name of Levant, viz. east by township numbered one, in the third range; north by township numbered two, in the fourth range, (now Corinth;) south by

Town incor-
porated.

Boundaries. townships numbered two and three in the second range ; and west by the township granted to Leicester Academy. And the inhabitants of the said town of Levant are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

Justice to issue warrant. SEC. 2. *Be it further enacted,* That upon application therefor, any Justice of the Peace for the county of Hancock is hereby authorised to issue a warrant, directed to a freeholder and inhabitant of the said town of Levant, requiring him to notify and warn a meeting of the inhabitants thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose at their annual town meetings.

[Approved by the Governor, June 14, 1813.]

CHAP. XXVIII.

An Act to establish part of the line between the towns of Duxborough and Marshfield, in the county of Plymouth.

Boundary line established.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That that part of the dividing line between the north-east corner of Duxboro' and the south-east corner of Marshfield, namely, beginning at a heap of stones on the top of Duck hill, and running north, sixty-six and an half degrees east, to the sea shore, shall, from and after the passing of this act, be the boundary line between the two towns, any law, usage, or custom to the contrary, notwithstanding.

[Approved by the Governor, June 14, 1813.]

CHAP. XXIX.

An Act to repeal an act, entitled “An act to provide for, and direct the manner of paying the members of the House of Representatives, in future, out of the publick Treasury.”

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That an act, passed the third day of February eighteen hundred and twelve, entitled “An act to repeal an act, entitled an act to provide for and direct the manner of paying the members of the House of Representatives, in future, out of the public Treasury,” shall be, and the same is hereby repealed, from and after the last day of the present session of the General Court. Act repealed
 [Approved by the Governor, June 14, 1813.]

CHAP. XXX.

An Act for altering the times and places of holding the Court of Probate, within and for the county of Middlesex.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That instead of the times and places already appointed therefor, the Court of Probate, within and for the county of Middlesex, from and after the first day of July next, shall be holden at the several times and places hereinafter mentioned: that is to say, at Cambridge on the second Tuesday in January, February, and November, on the last Tuesday in May and August, and on the Tuesday next preceding the second Monday in December; at Concord on the last Tuesday in February, on the first Tuesday in April, on the Tuesday next preceding the second Monday in June and September, and on the third Tuesday in November; at Groton on the first Tuesday in March, on the second Tuesday in May, and on the third Tuesday in October; at Framingham on the

Times and
places for
holding
court.

fourth Tuesday in June, and on the second Tuesday in October; at Charlestown on the Tuesday next preceding the last Tuesday in August; at Woburn on the fourth Tuesday in April; and at Chelmsford on the first Tuesday in October, annually—unless the said times and places shall be altered on special occasions, as by law heretofore provided.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXI.

An Act to incorporate The Bath Fire and Marine Insurance Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Peleg Tallman, David Trufant, Samuel Davis, John Richardson, Jerom Loring, Jonathan Hyde, Charles Clap, David Dunlap, Nathaniel Dummer, Thomas Agry, Peter Grant, and all such persons as have already, or hereafter shall become Stockholders in said Company, being citizens of the United States, be, and hereby are incorporated into a Company and body politic, by the name of The Bath Fire and Marine Insurance Company, for and during the term of twenty years after the passing of this Act, and by that name may sue and be sued, plead or be impleaded, appear, prosecute and defend to final judgment and execution, and have a common seal which they may alter at pleasure, and may purchase, hold and convey any estate, real or personal, for the use of said company, subject to the restrictions hereinafter mentioned.

*Persons in-
corporated.*

Name.

Powers.

SEC. 2. *Be it further enacted,* That a share in the capital stock of the said company shall be one hundred dollars, and the number of shares shall not be less than one thousand, nor more than two thousand; and if the said number of shares are not already filled, subscriptions shall be kept open, under the inspection of the President and Directors of the said company, until the same shall be filled, and the whole capital stock, estate or property, which the said company shall be authorised to hold, shall never exceed two hundred thousand dollars, exclusive of pre-

Shares.

mium notes, or profits arising from said business, of which capital stock or property, twenty thousand dollars only shall be invested in real estate.

SEC. 3. *Be it further enacted*, That the stock, property, affairs and concerns of the said company shall be managed and conducted by seven Directors, one of whom shall be the President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer ; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and shall be elected on the first Monday in January in each and every year, at such times of the day, and at such place in the town of Bath, as a majority of the Directors for the time being shall appoint ; of which election public notice shall be given in the Portland Gazette, and posted in the Post office in the town of Bath, twenty days immediately preceding such election. And such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election, by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock ; *provided* that no stockholder shall be allowed more than twenty votes ; and the Stockholders not present may vote by proxy, under such regulations as the said company shall prescribe. And if, in case of any unavoidable accident, the said Directors should not be chosen on the said first Monday in January, as aforesaid, it shall be lawful to choose them on another day, in manner herein prescribed.

Management
of property.

Proviso.

SEC. 4. *Be it further enacted*, That the Directors, so chosen, shall meet as soon as may be after every election, and shall choose out of their body one person to be President, who shall preside for one year, and be sworn faithfully to discharge the duties of his office ; and in case of the death, resignation, or inability to serve, of the President or any Director, such vacancy or vacancies shall be filled, for the remainder of the year in which they may have happened, by a special election for that purpose, notified by posting notice ten days before, in the Post office in the said town of Bath.

Election of
President.

SEC. 5. *Be it further enacted*, That the President and four of the Directors (or five of the Directors in the absence of the President) shall be a board competent to trans-

By-laws,
Rules, &c.

act business, and all questions before them shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate, and effects of said Company, and the transfer of the shares, and touching the duties and conduct of the several officers, clerks and servants employed, and the election of Directors, and all such matters as appertain to the business of Insurance ; and shall also have power to appoint a Secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem meet. *Provided* that such by-laws, rules, and regulations, shall not be repugnant to the constitution or laws of this Commonwealth.

Proviso.

Meetings of
the Direc-
tors.

SEC. 6. *Be it further enacted*, That there shall be stated meetings of the Directors at least once in every month, and as often within each month as the President and board of Directors shall deem proper. And the President and a Committee of three of the Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business ; and the said board of Directors and the Committee aforesaid, at and during the pleasure of the said board, shall have power and authority, on behalf of the Company, to make insurance upon vessels, freight, money, goods and effects, and against captivity of persons, and on the life of any person during his absence by sea, and in cases of money lent upon bottomry and respondentia, and on any mansion house or other building, and on the goods and property therein contained, against damage arising to the same by fire, originating in any cause, except that of design in the assured, and to fix the premiums and terms of payment ; and all policies of insurance by them made shall be subscribed by the President, or in case of his death, sickness, inability, or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said Company, and have the like effect and force as if under the seal of the said Company ; and the assured may thereupon maintain an action of the case against the said Company ; and all losses duly arising under any policy so subscribed, may be adjusted and settled by the President and board

Provision in
case of ab-
sence or
death.

of Directors, and the same shall be binding on the Company.

SEC. 7. *Be it further enacted,* That it shall be the duty of the Directors, on the first Monday of January and July, in every year, to make dividends of so much of the interest arising from the capital stock, and the profits of the said Company, as to them shall appear advisable; but the monies received, and the notes taken for premiums on risks, which shall be undetermined and outstanding at the time of making such dividends, shall not be considered as part of the profits of the Company; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened, each proprietor's or stockholder's estate shall be held accountable for the deficiency that may be due on his share or shares at the time of said loss or losses taking place, to be paid into the said Company by assessments, or such other mode, and at such time or times as the Directors shall order; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital. And that once in every two years, and oftener, if required by a majority of the votes of the stockholders, the Directors shall lay before the stockholders, at a general meeting, an exact and particular statement of the profits, if any there be, after deducting losses and dividends.

Duties of the
Directors.

SEC. 8. *Be it further enacted,* That the said Company shall not directly or indirectly, deal or trade in buying or selling any goods, wares, merchandize, or commodities whatsoever; and the capital stock of the said Company, after being collected at each instalment, shall, within ninety days, be invested either in the funded debt of the United States, or of this Commonwealth, or in the stock of any incorporated bank in this Commonwealth, at the discretion of the President and Directors of the said Company, or of other officers which the proprietors shall for such purpose appoint.

Investment
of the funds
of the Com-
pany.

SEC. 9. *Be it further enacted,* That fifty dollars on each share in the said Company, shall be paid within ninety days after the first meeting of the said Company, and the remaining sum due on each share, within one year afterwards, at such equal instalments, and under such penalties, as the said Company shall direct; and no transfer of any share

Monies due.

in said Company shall be permitted, or be valid, until all the instalments on such shares shall have been paid.

Officers' estate accountable for default.

SEC. 10. *Be it further enacted*, That in case of any loss or losses taking place that shall be equal to the amount of the capital stock of the said Company, and the President or Directors, after knowing of such loss or losses taking place, shall subscribe to any policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any and every loss that shall take place under policies thus subscribed ; and that no person, being a Director of any Company, carrying on the business of Marine Insurance, shall be eligible as a Director of the Company by this act established.

Proviso.

SEC. 11. *Be it further enacted*, That the President and Directors of the said Company shall, previous to their subscribing to any policy, and once in every year after, publish in a Newspaper printed at Portland, and at the Post office in Bath, the amount of their stock, against what risks they mean to insure, and the largest sum they will take on any one risk. *Provided nevertheless*, That the said President and Directors shall not be allowed to take more, on any one risk, than ten per centum of the amount of the capital stock of said Corporation actually paid in. And the President and Directors of the said Company shall, when and as often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said Company, and submit to an examination, concerning the same, under oath.

Stockholders authorized to call meeting.

SEC. 12. *Be it further enacted*, That any three of the persons herein named are hereby authorised to call a meeting of the members of said Company, as soon as they shall think fit, in Bath ; by advertising the same in the Portland Gazette, printed in Portland, and at the Post office in Bath, three weeks previous to said meeting.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXII.

An Act to incorporate the township numbered five, in the fourth range of townships north of the Waldo patent, in the county of Somerset, as a town, by the name of St. Albans.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the township numbered five, in the fourth range of townships north of the Waldo patent, in the county of Somerset, as contained within the following described boundaries, be, and the same is hereby incorporated as a town, by the name of St. Albans, viz.—North, by the township numbered five, in the fifth range; east, by the township numbered four, in the fourth range; south, by the township numbered five, in the third range; and west, partly by the town of Harmony, and partly by the township numbered three, in the first range of townships east of Kennebeck River. And the said town of St. Albans is hereby vested with all the corporate powers and privileges, and shall be also subject to the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Town incorporated, and boundaries.

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Somerset, upon application therefor, is hereby authorized to issue a warrant, directed to a freeholder and inhabitant of the said town of St. Albans, requiring him to notify and warn the first meeting of the qualified freeholders and voters thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose, at their annual town meetings.

Justice to issue warrant.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIII.

An Act to prevent damage to the Bridges and Mill Dams, erected across Miller's river, and for the preservation of Pine timber in that neighbourhood.

Logs not to be placed on the ice, &c.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of October next, no person or persons be allowed to lay, pile, or heap up any log or logs upon the ice in Miller's river, with intent of floating down the same with the ice at the breaking up thereof, or to put or draw any log or logs into the said river, at any season, to float down promiscuously.

Logs forfeited, if found on the ice.

SEC. 2. *Be it further enacted,* That all logs found so heaped upon the ice as aforesaid, or floating in the said river as aforesaid, unless they are formed and bound into rafts, and under the immediate care of the owner, or his agent, shall be forfeited to any person who shall take up and secure the same; and any person finding logs so heaped upon the ice as aforesaid, or floating in the said river as aforesaid, unless they are so formed and bound into rafts, and under the immediate care of the owner or his agent, shall have full right to take the same and convert them to his own use; and in case any person may be prosecuted or sued for any act done by him under the provisions of this act, he may in such action or suit plead the general issue, and give this act with his proceedings under it, in evidence in his defence or justification.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIV.

An Act to incorporate The Bangor Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Samuel E. Dutton, Thomas

A. Hill, Amos Patten, Moses Patten, Abner Taylor, and Joseph Leavett, with such others as already have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Bangor Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Bangor; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding the value of fifty thousand dollars, as may be necessary and convenient for carrying on the Manufactory aforesaid.

May hold real and personal estate.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXV.

An Act in addition to an act, entitled "An act for incorporating certain persons therein named, for the purpose of supporting a Bridge over Chicapee river, at a place called Wallomonumps.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the inhabitants of the town of Ludlow, in the county of Hampden, be, and they are hereby authorized to call a meeting of The Proprietors of Wallomonumps Bridge, by giving notice of the time and place appointed for meeting, under the hand of the town clerk of said town, or any person or persons by said town for that purpose appointed, in a Newspaper printed in Springfield; said meeting to be holden not less than seven days after such notice shall be published; and said proprietors may, at such meeting, choose a clerk, who shall be sworn to the faithful performance of his duty, and

Authorized to call a meeting.

all other necessary officers, and make such by-laws and regulations as they may judge proper, not repugnant to the laws and constitution of this Commonwealth.

Proceedings
to be valid.

SEC. 2. *Be it further enacted*, That the doings and proceedings of said Corporation at such meeting, shall, so far as respects their future transactions only, be, to all intents and purposes valid, as if, pursuant to the said act to which this is in addition, a clerk and other officers had been duly chosen and sworn by said Corporation, and they had then agreed upon a mode of calling future meetings.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVI.

An Act in further addition to an act, entitled “An act to incorporate sundry persons into a Company, by the name of The Proprietors of the Exchange Coffee-House.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Proprietors of the Exchange Coffee-House, in Boston, in their corporate capacity shall be, and are hereby declared capable to purchase, have, hold, and possess all parts and any part of the lands and tenements, lying, and being on the southwesterly side of said Exchange Coffee-House, and extending as far from the present southwesterly boundary of said proprietors’ land, as the boundary line of the Quaker meeting-house and burying ground, so called; and the same, or any part thereof, to grant, sell, alien, lease, exchange, manage and improve in such mode as they are, or may be, by law, authorized to do with respect to the land and property described in the original act, to which this is in further addition.

May pur-
chase land.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVII.

An Act to incorporate The Bridgewater Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Abel Kingman, Thomas Thompson, Isaiah Packard, Perez Crocker, Micah Shaw, Ichabod Howard, and Samuel Battles, together with such others as have, or may hereafter associate with them, their successors or assigns, be, and they are hereby made a Corporation, by the name of The Bridgewater Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Bridgewater, in the county of Plymouth; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the Manufacture aforesaid.

May hold
real and per-
sonal estate.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXVIII.

An Act to incorporate The Franklin Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Joseph Allen, Nathaniel Miller, Eli Richardson, Bethuel Boyd, Harlous Whiting, Levi Fisher, Asa Thayer, Davis Thayer, John French, and Otis Everett, together with such other persons as already have,

Persons in-
corporated.

or hereafter may associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Franklin Manufacturing Company, for the purpose of manufacturing Cotton and Woollen Cloth, and Yarn, in the town of Franklin, in the county of Norfolk; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold real and personal estate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding fifty thousand dollars, and such personal estate, not exceeding two hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the Manufacture aforesaid.

[Approved by the Governor, June 14, 1813.]

CHAP. XXXIX.

An Act to annex Nathaniel Wing, with his family and estate, to the town of Hallowell.

Annexed to other town.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Nathaniel Wing, with his family, and so much of his estate, (being a lot numbered forty-one,) as lies in the town of Winthrop, southwest of a county road, leading from Hallowell to Readfield, be, and the same is hereby annexed to the town of Hallowell; and the said Nathaniel Wing, shall hereafter be considered an inhabitant of the said town of Hallowell, and shall there exercise and enjoy all the rights and privileges, and shall also be subject to the like duties and requisitions as the other inhabitants of said Hallowell. *Provided*, That the said Nathaniel Wing shall be holden to pay all taxes assessed on him by the town of Winthrop, due and unpaid before the passing of this act, and also all such taxes as may be assessed on him by the said town of Winthrop the present year, and also his proportionate part of all

state and county taxes, which shall be laid upon the said town of Winthrop, until another general valuation shall be made.

[Approved by the Governor, June 14, 1813.]

CHAP. XL.

An Act to set off Isaac Alden the second, and others, from The Union Calvinistic Society in Abington, and annex them and their estates to the East Parish in Bridgewater.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Isaac Alden the second, Hiram Washburn, Ezra Alden, Isaac Allen, Christopher Sever, and Sampson Washburn, all of Bridgewater, in the county of Plymouth, with their families and estates, be, and they hereby are set off from the Union Calvinistic Society, in the town of Abington, in said county, and annexed to the East Parish of Bridgewater aforesaid; and shall hereafter be liable to all the duties, and entitled to all the privileges in said Parish they would have been, had they never belonged to the said Union Calvinistic Society. *Persons set off.*
Provided nevertheless, That they be held to pay all legal taxes and arrearages of taxes, already assessed upon them by said Society. *Proviso.*

[Approved by the Governor, June 14, 1813.]

CHAP. XLI.

An Act in addition to the several acts, establishing and regulating the First Massachusetts Turnpike Corporation.

SEC. 1. BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the First Massachusetts Turnpike Corporation be authorized to purchase and hold such real estate, adjoining to their turnpike roads, as may be. *May purchase and hold estate.*

convenient and necessary for the accommodation of their toll gatherers, and may from time to time sell or exchange the same when in their judgment it shall be necessary.

Rates of toll. SEC. 2. *Be it further enacted,* That the said corporation be, and they hereby are authorized to demand and receive of each passenger, at the most eastern gate erected on said roads, for every cart, waggon, or truck, drawn by one horse, six cents and one quarter of a cent, and for each sleigh or sled, drawn by one horse, five cents; and to demand and receive of each passenger at the west gate on said roads, for every cart, waggon, or truck, drawn by one horse, five cents, and for every sleigh or sled, drawn by one horse, four cents. *Provided however,* That nothing herein contained shall extend to entitle said Corporation to demand or receive toll from any person passing to or from his usual place of public worship, or from any person residing in the town where the gate may be placed, unless they are going or returning from beyond the limits of said town, or from any person going to or from any grist mill, or on the common and ordinary business of family concerns.

Proviso.

[Approved by the Governor, June 14, 1813.]

CHAP. XLII.

An Act in addition to an act, entitled "An act to incorporate certain persons, by the name of The Massachusetts General Hospital," passed February 25th, A. D. 1811.

Section repealed.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the third section of the act, incorporating certain persons by the name of the Massachusetts General Hospital be, and the same hereby is repealed; and that in lieu of the obligation therein imposed, the said Corporation shall be held and obliged to appropriate out of its funds, annually forever, to the support and maintenance of such sick poor, and lunatic persons, as may be received into said Hospital at the request of the legislature, or of any committee or officer appointed as the legislature may hereafter provide for the purpose, a sum

equal to simple interest on the money, for which the Province-House estate shall be sold; and until the sale thereof, the said Corporation shall be held to keep a correct account of the rents received, to be applied to the maintenance of sick poor, and lunatic persons, who would otherwise be chargeable to the Commonwealth, as soon as the Hospital shall be erected. And in case the said estate shall revert to the Commonwealth, as by the former and present acts is provided, the amount of said rents shall be paid into the Treasury of the Commonwealth.

SEC. 2. *Be it further enacted*, That a further time of five years, from the twenty-fifth day of February eighteen hundred and sixteen, be allowed and granted to said Corporation, to raise, by private subscriptions or donations, the sum of one hundred thousand dollars for the purposes of their institution, without prejudice to the grant contained in the fourth section of said act. Further time allowed.

SEC. 3. *Be it further enacted*, That so much of the seventh section of said act, as empowers the board of visitors of said Hospital to disallow and annul the by-laws of said Corporation, be, and the same is hereby repealed. Sections repealed.

SEC. 4. *Be it further enacted*, That the eleventh and twelfth sections of said act be, and the same hereby are repealed.

[Approved by the Governor, June 14, 1813.]

CHAP. XLIII.

An Act authorizing Stephen King and his associates, to establish a Dam across Taunton Great-River.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Stephen King and his associates be, and they are hereby authorized to build and maintain a Dam across Taunton Great-River, so called, on the land of the said Stephen King, in Taunton and Raynham, at a place about one quarter of a mile above King's bridge on said river, for the purpose of establishing and carrying on Mills and Manufactories. *Provided*, That such Dam shall not be erected in such manner as to flow the water Authorized to build a Dam.
Provide.

back to the injury of the works on Pratt's dam in Middleborough, situated on the same river.

Sluice-way
to be built.

SEC. 2. *Be it further enacted*, That a proper and sufficient sluice-way, shall be constructed in the Dam hereby authorized to be built, and such sluice-way shall, at all times, be kept in repair, and ready to be opened for the free passage of boats and rafts, as well as all kinds of lumber, which have usually been floated on said river, and also a convenient way to be constructed and kept open according to law, for the passage of such fish as usually pass up the same river in their proper season; and if such sluice-ways and fish ways shall not be sufficient, the same Dam, or such part thereof as may be necessary, may be removed or abated as a nuisance, in the same manner as other nuisances may, by law, be removed or abated.

[Approved by the Governor, June 14, 1813.]

CHAP. XLIV.

An Act to appropriate certain lands lying within the plantation of Marshpee, in the county of Barnstable, as a parsonage for the use of the missionary on said plantation.

Preamble.

WHEREAS the permanent establishment of the public worship of God among the native proprietors and inhabitants of the plantation of Marshpee, in the county of Barnstable, is eminently conducive to the religious improvement and well being of said proprietors and inhabitants, the practice of which is sanctioned by the wisdom and policy of our venerable ancestors :

Land appropriated for
missionary.

BE it, therefore, enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the lands hereinafter described and bounded, situate in the plantation of Marshpee, in the county of Barnstable, be, and they are hereby appropriated and set apart as a parsonage, for the exclusive use and occupation of such teacher of piety, religion and morality, as now is, or may be in future regularly ordained as missionary over said plantation, to wit : a parcel of pasture land containing about thirty acres, known

by the name of Santuct field, and is bounded west and north-westerly by Santuct river and pond, so called ; north and north-easterly by a swamp separating said land from Wright's field, so called ; south and south-easterly by a fence, making a boundary line between said land and the land of Alvan Crocker and sons : also a parcel of meadow land lying round a small island, called Daniel's island, in Great Neck, producing about six tons of salt hay, and is separated from the other Indian meadow by an ancient range, on the westerly side of said island, connecting the same with the main land. Boundaries.

[Approved by the Governor, June 14, 1813.]

CHAP. XLV.

An Act to incorporate The Protestant Episcopal Parish of St. James' Church in Greenfield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Thomas Chapman and Oliver Page, church wardens, and John E. Hall, Alpheus F. Stone, Chester Gunn, Samuel Pierce and Daniel Clay, vestrymen, together with such others as have, or may hereafter join said Parish or Society, and their successors, together with their polls and estates, be, and they hereby are incorporated into a society or body politic, by the name of The Protestant Episcopal Parish of St. James' Church, in Greenfield ; and the said parish or society are hereby invested with full power and authority to assess and collect of the members belonging to said parish, for the purpose of maintaining the public worship of God therein, and for maintaining their instructor of piety, religion and morality, and for erecting a house of public worship, and repairing the same from time to time, such monies as are or may be necessary for those purposes ; and they are hereby vested with such powers, privileges and immunities, as any other religious society does or may enjoy by the laws of this Commonwealth. Persons in-
corporated.

SEC. 2. *Be it further enacted*, That if any other person or persons may hereafter incline to join said Episcopal

Manner of
becoming a
member.

Manner of
leaving the
society.

Parish, in Greenfield aforesaid, and shall leave a certificate of the same, signed by the Rector, Clerk or Committee of said parish, with the Clerk of the town to which he or they may respectively belong, he or they, with his or their polls and estates, shall be considered as belonging to said Episcopal Parish, in the same manner as though he or they were incorporated by name in this act. And whenever any person or persons belonging to said Episcopal Parish, shall see cause to leave the same, and unite with any other religious parish or society, and shall leave with the Rector or Clerk of said Episcopal Parish, a certificate of the same, signed by the Minister or Clerk of the Parish or other religious Society, with which he or they may have united, he or they, with his or their polls and estates, shall be discharged from said Episcopal Parish, and annexed to the parish or society to which he or they may have joined themselves.

Interest,
how appro-
priated.

SEC. 3. *Be it further enacted*, That the said Protestant Episcopal Parish be, and they hereby are empowered to raise and establish a fund, in such way and manner as they may see fit, the annual income or interest of which shall not exceed the sum of two thousand dollars, the said income or interest, or so much thereof as shall be necessary, to be appropriated to the support of a Protestant Episcopal Priest or Priests in said Parish.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVI.

An Act to incorporate the President, Directors and Company of the New-England Bank.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John Gore, Samuel May, Robert G. Shaw, Edward Blake, jun. Samuel Dorr, Nathaniel R. Sturgis, George Lyman, David Greenough, Samuel Cabot, jun. Francis Lee, Allan Melvill, Edward Motley, Eben Appleton, David Hinckley, John Wood, Samuel G. Williams, Daniel P. Parker, James S. Colburn, Israel Munson, Thomas K. Thomas, John Bum-

stead, William Gill, Henry Gassett, jun. Benjamin Rich, John Bryant, Henry G. Rice, Enoch Bartlett, William S. Shaw, Thomas Cushing, Richard D. Tucker, William Sturgis, Patrick T. Jackson, Francis C. Lowell, William Ropes, Francis Welch, Asaph Stone, Thomas Cordis, Phineas Upham, Charles Barrett, and Benjamin M. Watson, and their associates, successors and assigns, shall be, and are hereby created a Corporation, by the name of The President, Directors, and Company of the New-England Bank, and shall so continue from the first Monday in October next, until the first Monday in October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and the said Corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and be entitled to the same rights, privileges and immunities, which are contained in an Act, entitled, "An act to incorporate the President, Directors, and Company of the State Bank," except in so far as the same are modified or altered by this Act, as fully and effectually as if the several sections of said Act were herein specially recited and enacted.

Time incor-
porated for.

SEC. 2. *Be it further enacted,* That the capital stock of said Corporation shall consist of a sum not exceeding one million of dollars, in gold or silver, to be, besides such part as this Commonwealth may subscribe, in manner hereinafter mentioned, divided into shares of one hundred dollars each, which shall be paid in manner following: that is to say, one fourth part thereof on or before the first day of October next, one fourth part thereof on or before the first day of January next, and the residue at such time as the stockholders, at any meeting called for that purpose, shall direct. And the stockholders at their first meeting shall by a majority of votes determine the mode of transferring and disposing of said stock, and the profits thereof; which, being entered in the books of said Corporation, shall be binding on the stockholders, their successors and assigns, until they shall otherwise determine. And the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of fifty thousand dollars, and no more, at any one time; with power to bargain, sell and dispose of the same, and to

Amount of
capital stock,
and of each
share.

Payment
of shares.

May hold
real estate,
and amount.

Proviso.

loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable: *Provided however*, that nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage, or on executions, to any amount, as security for, or in payment of any debts due to the said Corporation: *And provided further*, that no monies shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and paid in, and existing in gold or silver in their vaults, shall amount to two hundred and fifty thousand dollars, nor until said capital stock, actually in said vaults, shall have been inspected and examined by three Commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of said Corporation, to examine and count the monies actually existing in said vaults, and to ascertain, by the oath of the Directors of said bank, or some of them, that said capital stock hath been *bona fide* paid in by the stockholders of said bank, and towards payment of their respective shares, and not for any other purpose; and that it is intended therein to remain as part of said capital, and to return a certificate thereof to the Governor.

Bank, where established.

SEC. 3. *Be it further enacted*, That the said bank shall be established and kept in the town of Boston.

Money to be loaned the State.

SEC. 4. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding *ten per centum* of the capital stock then actually paid in, at any one time—reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: *Provided however*, That the Commonwealth shall never stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of their capital then paid in.

Proviso.

Calling first meeting of Stockholders.

SEC. 5. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit to appoint, by advertising the same in

any two Newspapers printed in the town of Boston, for the purpose of making, ordaining and establishing such by-laws and regulations, for the orderly conducting of the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first Board of Directors, and such other officers as they shall see fit to choose.

SEC. 6. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision therefor by law, to subscribe, on account of the Commonwealth, a sum not exceeding five hundred thousand dollars, to be added to the capital stock of said Corporation, subject to such rules, regulations and provisions, as to the management thereof, as shall be by the Legislature made and established.

State may
subscribe
\$500,000.

SEC. 7. *Be it further enacted*, That whenever the Commonwealth shall subscribe to the capital stock of said Corporation, in manner herein before provided for, in addition to the Directors by law to be chosen by the stockholders, the Legislature shall have a right, from time to time, to appoint a number of Directors of said bank, in proportion as the sums paid from the Treasury of the Commonwealth, shall bear to the whole amount of stock actually paid into the said bank, if at any time hereafter they shall judge fit to exercise that right.

Legislature
may appoint
Directors.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVII.

An Act in addition to an act, providing for the government and regulation of the State Prison.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That all contracts relative to the employment of the convicts within the said Prison, and for the supply of any articles of food or manufacture within the same, shall, with the approbation of the Directors, be made by and with the warden of said Prison for the time being, and with his successors in office, and any such contract may be prosecuted to final judgment and execution, in the name of said warden; and if, during the

Contracts to
be made.

pendancy of any such suit, the warden should die or be removed from office, the successor of said warden may be admitted to prosecute the same, and such suit shall not, by such death or removal, abate.

Accounts to
be made out

SEC. 2. *Be it further enacted*, That the accounts of the warden of said Prison, which, by law, he is now required to make out and render to the General Court twice in each year, and at the commencement of every session, shall be made out and closed on the last day of March, and on the last day of September of each year, and presented to the Treasurer of the Commonwealth, after the same have been examined and approved by the Directors; and it shall be the duty of the Treasurer to examine and settle the same, and keep a distinct account thereof in his office for the inspection of the Legislature; and in addition to the other vouchers now required, the said warden shall exhibit the receipt of the commissary of said Prison, for all articles purchased for manufacture or consumption in the Prison, before the charges for the same are allowed.

Commissary
to give an ac-
count.

SEC. 3. *Be it further enacted*, That the commissary of said Prison shall, conformably to such instructions as he may from time to time receive from the Directors, receive, take care of, and account for all provisions, stores, clothing, raw materials, manufactures, and every other species of property belonging to the institution, the furniture of the house, cells and kitchen excepted, and enter the same in books, to be kept for that purpose, in such form and under such regulations as the Directors may prescribe; and shall issue out the same, on the warrant of the keeper of said Prison, to the several departments, and shall deliver out to the Overseers of the workshops the raw materials to be manufactured, open accounts with each of them for the same, and receive back the articles manufactured; and it shall be his duty to inventory, weigh, mark, arrange, and have in marketable readiness the property manufactured, to receive in charge the clothing and bedding of convicts discharged from the Prison, after the same have been cleansed and made ready for future use, and generally to take the special charge of reception and delivery of all articles purchased for or used in the Prison; and on the last day of March, and on the last day of September of each year, the said commissary shall present abstracts of his receipts and expenditures, examined and approved by

the Directors, to the Treasurer of this Commonwealth; whose duty it shall be to audit the same, and if correct, to approve thereof, and keep the said abstracts in his office, for the inspection of the Legislature.

SEC. 4. *Be it further enacted*, That when any female prisoner shall be duly convicted of any larceny or other crime or crimes, on which conviction, such female prisoner might now, by law, be adjudged to suffer solitary imprisonment, and confinement afterwards to hard labour in said Prison, every such female convict may be sentenced to suffer solitary imprisonment only, at the discretion of the Court before which such conviction shall be had, any law to the contrary notwithstanding.

Females to suffer at the discretion of Court.

SEC. 5. *Be it further enacted*, That respecting all crimes and offences committed within the State-Prison aforesaid, and the precincts thereof, the said Prison and precincts shall, in all judicial proceedings, be deemed and taken to be, as well within the county of Suffolk as the county of Middlesex; and the several Courts of the said counties respectively, shall have concurrent jurisdiction over the same, and of all crimes and offences therein committed.

Courts to have jurisdiction over.

[Approved by the Governor, June 16, 1813.]

CHAP. XLVIII.

An Act to incorporate The President, Directors, and Company of the Kennebunk Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Eliphalet Perkins, Tobias Lord, Hugh M'Culloch, John Bourne, Joseph Moody, John U. Parsons, and John Low, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Kennebunk Bank, and shall so continue until the first day of October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any other

Persons incorporated.

Time incorporated for.

place whatever ; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of said Corporation, and the prudent management of their affairs.

Proviso.

Provided, Such by-laws, ordinances, and regulations shall, in no wise, be contrary to the constitution and laws of this Commonwealth ; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Amount of
capital stock
and of each
share.

SEC. 2. *Be it further enacted*, That the capital stock of the said Corporation, shall consist of the sum of one hundred and twenty thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments : the first, on the first day of April next ; the second, on the first day of October next, after ; the third, on the first day of April next, after ; the fourth, on the first day of October next, after, or at such earlier time as the stockholders, at any meeting thereof, may order. And the stockholders, at their first meeting, by a majority of votes, may determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors, and assigns, until they shall otherwise determine ; and the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of ten thousand dollars, and no more at any one time ; with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable.

May hold
real estate,
and amount.

Proviso.

Provided however, That nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to said Corporation. *Provided further*, That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to thirty thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the Bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business. *And provided also*, That the amount of debts, at any time due from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Provido.

Debts not to exceed fifty per cent.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Arundel.

SEC. 5. *Be it further enacted*, That any Committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of the said Corporation, and shall have free access to all their books and vaults; and if, upon such an examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislature shall have access to vaults, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Weekly Visitor, printed in the town of Wells, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they may see fit to choose.

Authorized to call a meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the

Shall exhibit a statement of accounts.

amount of the capital stock of the said Corporation, and of debts due to the same ; of the monies deposited therein ; of the notes in circulation ; and of the gold, silver, and copper coin, and the bills of other banks on hand ; which statements shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said Corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank counterfeited or altered, in the course of its circulation, to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said Corporation, from and after the first Monday of October next, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in : *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that shall be hereafter incorporated within this Commonwealth. *And provided further*, that nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, when they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums not less than one hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reim-

Shall pay
their notes,
if counter-
feited.

Shall pay a
tax to the
Treasurer of
State.

Proviso.

Amount to
be appropri-
ated to loans.

Amount of
loans.

Security for
loans.

Shall loan to
the Common-
wealth.

bursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payments of interest, at the rate of five per centum per annum : *Provided however*, that the Commonwealth shall Proviso. never at any one time stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

[Approved by the Governor, June 16, 1813.]

CHAP. XLIX.

An Act relating to the office of the Secretary of the Commonwealth.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That whenever the Secretary of the Commonwealth, shall, by reason of sickness, necessary absence, inability, resignation or death, be prevented from executing the duties of his office, the Deputies of the Secretary, and every of them lawfully appointed under his hand and seal, shall be, and are hereby authorised and empowered to execute all the duties which the Secretary could have lawfully executed in person, until such disability shall be removed, or a new choice shall be made by the Legislature.

Deputy Sec-
retaries au-
thorised.

[Approved by the Governor, June 16, 1813.]

CHAP. L.

An Act establishing a salary for the Adjutant General.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That there shall be allowed and paid out of the Treasury of this Commonwealth, the sum of two thousand dollars annually, to continue until the end of the war, and no longer, to the Adjutant General, in full for his services, to be paid in equal quarterly payments.

Salary.

[Approved by the Governor, June 16, 1813.]

CHAP. LI.

An Act regulating the sale of Indian and Rye Meal.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of July next, no person shall sell within this Commonwealth, any Indian meal, rye meal, or any other sort or kind of meal, except oat meal, unless the quantity so sold be first weighed; and instead of the usual method of selling by the bushel, and the aliquot parts of a bushel, every vender, retailer or trader, who shall sell any quantity of Indian meal, rye meal, or other sort or kind of meal, except oat meal, within this Commonwealth, shall sell the same by weight, and one hundred net pounds shall be the standard for the hundred weight, by which such meal shall be sold. And any person or persons, who shall, after the said first day of July next, vend or sell within this Commonwealth, any quantity of Indian meal, rye meal, or other meal, except oat meal, unless the same be first weighed, and sold by weight, shall forfeit five dollars per hundred weight, and after the same rate for any greater or less quantity so sold; such forfeiture to be recovered by an action of the case by the person, for his sole benefit, who shall first sue therefor, before any Court proper to try the same.

Shall sell by
weight.

Forfeit.

[Approved by the Governor, June 16, 1813.]

CHAP. LII.

An Act to alter and amend an act establishing The Fryeburgh Academy.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, so much of the fifth section of an act for establishing an Academy in the town of Fryeburgh, by the

name of Fryeburgh Academy, as provides and requires that a major part of the Trustees of said Academy shall consist of men, who are not inhabitants of the town where the said seminary is situated, be, and the same is hereby repealed. Act in part repealed.

[Approved by the Governor, June 16, 1813.]

CHAP. LIII.

An Act to establish the boundaries of the town of Belfast, in the county of Hancock.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the boundary lines of the said town of Belfast be, and they are hereby established as follows: beginning at the northerly corner of lot numbered fifty-four, in the fourth division of lots in said town, at a marked hemlock tree; thence running south by the town of Prospect one mile, one quarter and twenty-one rods, to Half-way creek; thence following the course of the channel of said Half-way creek, to a ledge of rocks, projecting from the side of Prospect, at the tide waters of Belfast bay; thence running south into said bay until said course intersects a line running due east from the mouth of Little river; thence running west to the said mouth of Little river; thence by the town of Northport, up said Little river, following the course of its ancient channel, which includes the island in said river, within the town of Belfast, to a marked yellow birch tree, standing on the west bank of said river, and at the south-easterly corner of lot numbered one hundred and two, in the third division of lots, in said town of Belfast; thence by the town of Northport, running south sixty-eight degrees west, three miles, one quarter and four rods, to a marked yellow birch tree, at the south-westerly corner of lot numbered one, in the fourth division of lots, in said town of Belfast, and commonly known by the name of Chadwick's corner; thence running north twenty-two degrees west, by the unincorporated plantation of Green, four miles, three quarters and fifty-two rods, to a marked maple tree, at the north-westerly corner of lot numbered twenty-six, in the fourth di- Boundary line established.

Proviso.

vision of lots, in said town of Belfast ; thence by unincorporated lands running north sixty-eight degrees east, eight miles, one quarter and fifteen rods, to the hemlock tree first mentioned: *Provided however*, that nothing contained in this act shall be so construed as to affect the claims of individuals to the right of soil within said boundaries.

[Approved by the Governor, June 16, 1813.]

CHAP. LIV.

An Act to annex Henry Smith, James Gower and Rufus Davis, with their families and estates, to the town of Industry.

Persons set
off.

Boundaries.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Henry Smith, James Gower and Rufus Davis, with their families and estates, as contained within the following described limits, lying in the town of New Sharon, in the county of Kennebeck, be, and they are hereby set off from the said town of New Sharon, and annexed to the town of Industry, in the county of Somerset; viz. beginning at the east corner of lot number eighty-four, in New Sharon, on the westerly line of Industry, thence south forty-five degrees west, about three-fourths of a mile, to the east line of the town of Farmington, so as to include all that part of New Sharon which lies north-west of said line, being the lots numbered eighty-four, and eighty-five, containing together about one hundred and seventy acres. And the said Smith, Gower and Davis, with their estates hereby annexed to the town of Industry, shall therein exercise and enjoy all the privileges, and be subject to the like duties and obligations as the other inhabitants of the said town, as fully and completely, as if they had been originally incorporated therewith.

[Approved by the Governor, June 16, 1813.]

CHAP. LV.

An Act to repeal an act, entitled, "An act to limit the Tenure in Office of Sheriffs.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act entitled, "An act to limit the tenure in office of Sheriff," passed the twenty-fifth day of June, in the year of our Lord one thousand eight hundred and eleven, be, and the same is hereby repealed; and that the office of Sheriff shall hereafter be held by the same tenure as if the act, hereby repealed, had never been passed. Act repealed

[Approved by the Governor, June 16, 1813.]

CHAP. LVI.

An Act to prevent the destruction of Quahaugs in the plantation of Marshpee.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the first day of April next, if any person or persons shall take, rake and carry away more than two bushels of quahaugs, including the shells, at any one time, and being duly convicted thereof, in manner hereinafter prescribed, shall forfeit and pay not less than three dollars, nor more than eight dollars, unless liberty for taking said fish be first had and obtained from the guardian or treasurer of said plantation. Penalty for breach of act

SEC. 2. *Be it further enacted,* That if any Indian or other inhabitant of said plantation, shall aid or assist any person or persons belonging to any other town or place, in the taking or carrying away of the fish aforesaid, or shall supply him or them therewith, he shall forfeit and pay not less than one dollar, or more than three dollars, for every such offence.

SEC. 3. *Be it further enacted,* That if any vessel or boat, not belonging to any inhabitant of this Common-

Boats may
be seized.

wealth, shall be found within three miles of bays, harbour, and shores of said plantation, having on board more than two bushels of said fish, including the shells, taken within the same, and not having a permit, in writing, from the Guardian and Treasurer as aforesaid, it shall and may be lawful for any person or persons to detain such vessel or boat, until the master or owner thereof shall pay the forfeiture ordered by the Court that shall try the same, and the legal costs arising thereon.

Breaches to
be tried.

SEC. 4. *Be it further enacted*, That all breaches of this act, shall be heard and determined by any Justice of the Peace in the county of Barnstable, who, on complaint of any breach of this act, made to him in writing and on oath, shall issue his warrant for apprehending and bringing before him the person or persons thereof accused ; and all the forfeitures which may arise as aforesaid, shall accrue and be appropriated, one moiety to him or them who shall complain as aforesaid, and the other moiety to the use of said plantation.

[Approved by the Governor, June 16, 1813.]

CHAP. LVII.

An Act in addition to an act, entitled "An act to prevent the destruction, and to regulate the catching of the fish, called Alewives, in their passage up the rivers and streams, in the town of Harwich, in the county of Barnstable."

Empowered
to dispose of
Alewives.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the inhabitants of the town of Harwich be, and they are hereby authorized and empowered by their committee, annually chosen in the month of March or April, to dispose of the fish called Alewives as they may think proper.

Committee
to pay over
to Treasurer.

SEC. 2. *Be it further enacted*, That the Committee aforesaid, shall pay over to the Treasurer of the said town of Harwich, on or before the first day of January annually, all the net proceeds of the sale of said fish, for the use of said town ; and any Committee appointed as aforesaid,

that shall neglect or refuse to pay over as aforesaid, all the monies they shall have received as aforesaid, shall forfeit and pay for each offence a sum, not exceeding two hundred dollars, nor less than fifty dollars, to be recovered by their Treasurer for the use of the inhabitants of said town, by action of debt, in any Court proper to try the same.

[Approved by the Governor, June 16, 1813.]

CHAP. LVIII.

An Act for building a Wharf in the town of New-Castle.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Nathaniel Bryant, his heirs, executors, administrators, and assigns, be, and they are hereby authorized to build, erect, and maintain at Jack's Point, so called, on Damariscotta river, in the town of New-Castle, in the county of Lincoln, a Wharf, in manner and of dimensions following, to wit:—To extend from said point at low water mark northwardly and north-eastwardly eighty feet; eastwardly and south-eastwardly from the end of said point at low water mark, ten feet; making the front of said Wharf a straight line of one hundred and twenty feet, the north-eastern side a straight line of one hundred feet, and from the extremities of the two sides aforesaid, at right angles, to the main land of said point.

Authorized
to build a
Wharf,

Manner and
dimensions.

[Approved by the Governor, June 16, 1813.]

CHAP. LIX.

An Act to incorporate The President, Directors, and Company of the Hampshire Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Joseph Lyman, Oliver Smith, Ebenezer Mattoon, Benjamin Smith, Seth Wright, Nathaniel Smith, Ebenezer Hunt, jun. and Theodore Wright,

Persons in-
corporated.

their associates, successors, and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Hampshire Bank, and shall so continue until the first day of October, which will be in the year of our Lord, one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any place whatever; and also to make, have, and use a common seal; and to ordain, establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of said Corporation, and the prudent management of their affairs. *Provided*, Such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Proviso.

Amount of stock.

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments: the first, on the first day of September next; the second, on the first day of March next; the third, on the first day of September next, after; and the fourth, on the first day of March next, after. And the stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors and assigns; and the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: *Provided however*, That nothing herein contained, shall restrain or prevent the said Corporation from taking and holding real estate in mortgage, or on execution to any amount, as security for, or in payment for any debt due to the said

May hold estate.

Proviso.

Corporation. *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing, in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the Bank hereby established. *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be five, and three may constitute a quorum for the transaction of business. *And provided also*, That the amount of debts, at any time due from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Rules, &c. to be binding.

Proviso.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Northampton.

SEC. 5. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding twenty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per cent per annum. *Provided however*, That the Commonwealth shall never, at any one time, stand indebted to the Corporation without their consent, for a larger sum than thirty thousand dollars.

Shall loan to the Commonwealth.

Proviso.

SEC. 6. *Be it further enacted*, That any Committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults; and if, upon such examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the Incorporation shall thereupon be declared forfeited and void.

To have access to books and vaults.

Authorized
to call a
meeting.

SEC. 7. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorized to call a meeting of the members and stockholders of said Corporation, as soon as may be, at such time and place as they may see fit, by advertising the same three weeks successively in the Hampshire Gazette, printed at Northampton, for the purpose of making, ordaining and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of the said Bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver, and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath before some person competent to administer the same.

Common-
wealth may
hold stock.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Shall pay
their notes,
if counter-
acted.

SEC. 10. *Be it further enacted*, That the said Corporation shall be liable to pay to any bona fide holder, the original amount on any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay a
tax to the
Treasurer of
State.

SEC. 11. *Be it further enacted*, That the said Corporation, from and after the first day of September next, shall pay by way of a tax to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of

said dividend have been actually paid in : *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that are now or shall be hereafter incorporated within this Commonwealth : *And provided further*, that nothing herein contained shall be construed to impair the right of the Legislature, to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Proviso.

Amount to be appropriated to loans.

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest, which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate to the satisfaction of the Directors of the said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases.

Amount of loans.

Security for loans.

[Approved by the Governor, June 16, 1813.]

CHAP. LX.

An Act to annex Aribert Leonard and Martin Wilson to the Second Parish in West Springfield.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Aribert Leonard and Martin Wilson of West Springfield, with their families and estates, be, and they are hereby set off from the First, and annexed to the Second Parish in West Springfield : *Provided*, that each of the said persons shall be holden to pay his respective proportion of all taxes which have been assessed upon his poll and estate, and due to the said First Parish prior to the passing of this act.

Persons set off.

[Approved by the Governor, June 16, 1813.]

CHAP. LXI.

An Act to incorporate The Episcopal Society of St. Mary's Church, in Newton.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Solomon Curtis and Thomas Durant, Church Wardens, Nathaniel Wales, Ephraim Jackson, 2d. and Isaac Hagar, Vestrymen, with such other persons residing in Newton, Needham, and in towns and places adjacent, as now are, or hereafter may be associated with them and their successors, together with their polls and estates, be, and they are incorporated into a society or body politic, by the name of The Episcopal Society of St. Mary's Church in Newton, with all the privileges, powers and immunities, which parishes do or may enjoy by the laws of this Commonwealth,

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That each and every person, who is, or shall become a proprietor, or interested by subscription, purchase or otherwise, in the house of public worship, to be erected by the said society in Newton aforesaid, and any person proposing to attend public worship there, not being heretofore a member of the said society, who shall enter his or her name and request to become a member, with the Warden and Vestry, or with the Clerk of the said society, shall be deemed, taken and entitled, and they with their estates shall be liable to all lawful taxes and assessments as members of the said Episcopal Society; and the members of the said Episcopal Society shall be, and they, with their estates, hereby are exempted from all other taxes and assessments for the support of public worship, in the town or parish where they may respectively reside: *Provided*, that persons hereafter becoming members shall give notice thereof in writing to the Assessors or Clerk of the parish or town where they reside, and until such notice, shall not be entitled to the exemption aforesaid. *And provided*, That persons withdrawing from the said Episcopal Society, who shall give notice thereof in writing, to the Wardens and Vestry, or Clerk for the time being, shall be no longer

Manner of
becoming a
member.

Proviso.

liable to any taxes or assessments, afterwards granted and voted therein; and they, with their estates, shall become again liable to all other taxes and duties for the support of public worship, in the parish or town where they may respectively reside, and as other inhabitants there, not entitled to any special exemption, are or shall be by law liable.

SEC. 3. *Be it further enacted*, That the said Episcopal Society shall be capable to take and hold, by gift, grant or purchase, any real or personal estate, and to manage, sell and dispose of the same, and for that purpose shall have a common seal, to be established, altered and renewed at their pleasure: *Provided*, that the real estate holden by them at any one time shall not exceed in annual value, the sum of four thousand dollars; *And provided*, that no sale thereof shall be valid and effectual, unless the same shall be made with the concurrence of their Minister, if any, and of two thirds at least of the proprietors of pews, being members of the said society.

May hold
real and per-
sonal estate.

Proviso.

SEC. 4. *Be it further enacted*, That the said Episcopal Society shall have the same authorities and powers, in granting, voting, assessing and collecting taxes for the maintenance of a Minister, and the support of public worship, which Congregational Parishes have or may enjoy, by virtue of any general statute of this Commonwealth. And assessments of taxes lawfully granted and made for the said Episcopal Society, remaining due and unpaid after six months' notice thereof, shall be recoverable by an action at law, in their name to be brought, as for sums of money due and owing to the said Society, against the parties liable therefor, their executors or administrators.

Taxes, how
recovered.

SEC. 5. *Be it further enacted*, That the meeting of the said Episcopal Society shall be holden on Easter Monday annually, at their said house for public worship, in Newton, or such other place, and at such hour of the day, as their Wardens and Vestry may appoint; and at such annual meeting or meetings, or at some adjournment thereof, the members of the said Episcopal Society there assembled, shall choose their Wardens and Vestry, Clerk, Treasurer, and any other suitable officer or officers, for the management of the affairs of the said Corporation; and the annual taxes and assessments of the said society shall and

Annual
meeting of
the Society.

Choice of
Officers.

may be voted and granted, and by standing rules or otherwise, in the mode of assessing and collecting taxes, of calling and notifying meetings, and the duties and authorities of the Wardens and Vestry, and other officers of the said Corporation, and the manner in which vacancies happening by death, resignation or otherwise, shall be supplied, shall and may be agreed upon and determined.

[Approved by the Governor, June 16, 1813.]

CHAP. LXII.

An Act providing for the appointment of a Town Treasurer, and Collectors of taxes, in the town of Boston.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the Selectmen, the Overseers of the poor, and the Board of Health of the town of Boston, shall annually, in the months of June or July, meet in convention in the town of Boston, and appoint some suitable person as Treasurer of said town, and also one or more suitable person or persons as Collectors of taxes in said town, who, when appointed as aforesaid, shall have like powers, and be subject to like duties, in the discharge and execution of their said several offices, as other town Treasurers and Collectors of taxes have and are subject to, in this Commonwealth. And the said town Treasurer and Collectors, so as aforesaid appointed, shall continue in office for one year, and until others are appointed in manner aforesaid, and qualified to execute their said offices; and a record of the appointment as aforesaid, of said town Treasurer and Collectors, shall be made by the town Clerk of the town of Boston, in the records of said town, kept by him. And the said town Treasurer and Collectors, to be appointed as aforesaid, shall be sworn to the faithful discharge of their said several trusts, and give such bonds to the said town of Boston, conditioned for the faithful execution of the duties of their said offices, as the said Selectmen, Overseers of the poor, and Board of Health, met in convention as aforesaid, shall direct, previous to their entering on the

Treasurer
and Collect-
ors, how ap-
pointed.

To be sworn

duties of their said several offices aforesaid. *Provided* ^{Proviso.} *however*, That the said Selectmen, Overseers of the poor, and the said Board of Health, shall never reappoint any person to said office of town Treasurer, or Collector of taxes as aforesaid, until such person shall have faithfully and fully completed the execution of his duty in said office, to which he was appointed the year preceding, and a full and complete settlement of the taxes by him to have been received or collected, according to law, shall have been made, or he shall have been excused therefrom by a vote of the said town of Boston. And whenever by death, resignation, or otherwise, the said office of town Treasurer or Collector shall be vacant, the aforesaid Selectmen, Overseers of the poor, and Board of Health, shall be, as aforesaid, authorised to fill such vacancy, by a new appointment in manner aforesaid. ^{Vacancy, how filled.} And all laws heretofore made respecting either of the aforesaid offices of town Treasurer and Collector of taxes in the town of Boston, that are inconsistent with the provisions of this act, be, and the same hereby are repealed, from and after the fourth day of July next.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIII.

An Act to incorporate sundry persons in Charlestown, in the county of Middlesex, by the name of The Washington Hall Association.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Joseph Hurd, Josiah Bartlett, David Stetson, Timothy Walker, and Benjamin Swift, ^{Persons in-} ^{corporated.} with such others as have associated and purchased a lot of land, bounded thirty feet on the main street in said Charlestown, running back about one hundred and fifty feet, and are erecting a building thereon, by the name of Washington Hall, for offices, reading rooms and other purposes, be, and they are hereby incorporated for holding in fee simple, and managing the affairs of the said estate, which is divided into fifty shares. And they are author-

ized to use a common seal, and to establish such by-laws, relating to the said Corporation, as are not repugnant to the constitution and laws of this Commonwealth; *provided* the annual income of said Corporation shall not exceed the sum of fifteen hundred dollars.

Authorized
to call a
meeting.

SEC. 2. *Be it further enacted*, That said Joseph Hurd be authorised to call the first meeting of the said Corporation, by a written notification to each member, at least three days before the time of meeting.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIV.

An Act in addition to an act, entitled “An act to incorporate certain Proprietors of Fresh Pond Meadows, in the town of Cambridge, in the county of Middlesex, for the purpose of draining said meadows.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That upon the application of six or more of the Proprietors of Fresh Pond Meadows, to any Justice of the Peace in the said county of Middlesex, said Justice is hereby authorised to issue his warrant, directed to one of said Proprietors, to notify a meeting of said Proprietors at such time and place, and for such purposes, as shall be expressed in said warrant; which warrant, and the notification thereon, shall be published in one of the Boston newspapers, and shall also be posted in some public place in each of the towns of Cambridge, Charlestown, and Watertown, such publication to be ten days at least before the time of meeting; and any future meeting may be called in like manner at any time, on the application as aforesaid of six or more of the said proprietors, and proceedings had as aforesaid.

Justice to is-
sue Warrant

[Approved by the Governor, June 16, 1813.]

CHAP. LXV.

An Act to repeal an act, entitled “An Act, dividing the Commonwealth into Districts, for the choice of Counsellors and Senators.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act, entitled “An act, dividing the Commonwealth into Districts, for the choice of Counsellors and Senators,” passed on the eleventh day of February, in the year of our Lord one thousand eight hundred and twelve, be, and the same is hereby repealed.” Act repealed
 [Approved by the Governor, June 16, 1813.]

CHAP. LXVI.

An Act in addition to an act, for the better regulation of the Indian, Mulatto, and Negro proprietors of Gayhead, in the county of Dukes’ County.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Guardians to the Indian, Mulatto and Negro proprietors of Gayhead, shall have alien on the stock pastured on said Proprietary, for the payment of rent of said pasturage; and are hereby vested with all the powers of Collectors of taxes, to distrain the stock actually depastured for rents in arrears. Guardians to have alien.
 [Approved by the Governor, June 16, 1813.]

CHAP. LXVII.

An Act to alter and change the names of certain persons therein mentioned.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of

Names altered.

this act, Samuel Torrey of Boston, in the county of Suffolk, son of William Torrey of Mendon, in the county of Worcester, shall be allowed to take the name of Samuel Davenport Torrey ; that Joseph Smith of Salem, in the county of Essex, son of Joseph Smith of Rowley, in said county, shall be allowed to take the name of Joseph Baker Smith ; that Chauncey Whittlesey Coats of Middlefield, in the county of Hampshire, shall be allowed to take the name of Chauncey Coats ; that Zebedee Macomber, 2d, of Westport, in the county of Bristol, shall be allowed to take the name of Zebedee Augustus Macomber ; that William Woodbury of Hallowell, in the county of Kennebeck, Printer, shall be allowed to take the name of William Augustus Woodbury ; that James Bowdoin Winthrop, son of Thomas L. Winthrop, Esq. of Boston, in the county of Suffolk, a minor, shall be allowed to take the name of James Bowdoin. And the several persons before named, from the time of the passing of this act, shall be called and known by the names, which by this act they are respectively allowed to take and assume, as aforesaid ; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, June 16, 1813.]

CHAP. LXVIII.

An Act more effectually to secure the Rights of Suffrage.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That it shall be the duty of the Duty of the Assessors. Assessors of each town and district within this Commonwealth, on or before the twentieth day of February annually, to make out a correct and alphabetical list of all such inhabitants of their respective towns and districts, as may be qualified by law to vote in the choice of town officers ; which list shall be published within the respective towns and districts, by posting up true copies thereof, at two or more public places, seven days at least before the first day of March annually. And it shall be the duty of said As-

sessors to be in session at some convenient place, to be by them notified on said lists, on the day next preceding the day of the annual election of town officers, in the month of March or April annually, unless the same happen on the Lord's day, in which case the Assessors shall be in session on the Saturday preceding, or on the morning of the day of election as aforesaid, as the Assessors think proper, for so long time as they shall judge necessary, to receive evidence of the qualifications of persons whose names have not been entered on said lists.

SEC. 2. *Be it further enacted,* That if any person, at any meeting for the choice of town officers, shall knowingly give in more than one vote or list, for any officer or list of officers then voted for at any such meeting, he shall forfeit and pay a fine not exceeding one hundred dollars.

Fine for
more than
one vote.

SEC. 3. *Be it further enacted,* That if any person, knowing himself to be not legally qualified to vote at any meeting for the choice of town officers, or at any meeting for the choice of Governor, Lieutenant Governor, Senators and Counsellors, Representatives to the General Court, or the Representatives to Congress, shall wilfully give in, or attempt to give in a vote or ballot for any of the same then voted for, at any such meeting, every such person, so offending, shall forfeit and pay a fine therefor, not exceeding the sum of fifty dollars; and any person who shall wilfully aid or abet any person, not legally qualified as aforesaid, in voting, or attempting to vote contrary to the provisions of this act, shall forfeit and pay a fine not exceeding thirty dollars, for each and every such offence.

Penalty for
persons vot-
ing who are
unqualified.

SEC. 4. *Be it further enacted,* That no person shall be permitted to give in his vote or ballot, at any meeting for the choice of town officers, or other officers as aforesaid, until the person presiding at such meeting shall have had opportunity to enquire his name, and shall have ascertained that the same is in the list aforesaid, and shall have had time to check the same; and any person wilfully voting contrary to the provisions of this act, or who shall give any false answer or false name to the Assessors, when receiving evidence of the qualifications as aforesaid, or to the person presiding in such town or district meeting, shall forfeit and pay a fine, not exceeding thirty dollars, for each and every such offence.

Penalty for
breach of act

Penalty for
neglect.

Fines, how
recovered.

SEC. 5. *Be it further enacted*, That the Selectmen or Assessors of any town or district aforesaid, who shall refuse or neglect to do and perform all or any of the duties prescribed to them by this act, shall forfeit and pay for each and every such offence, a fine not exceeding two hundred dollars; and all the fines and forfeitures accruing in consequence of a violation of this act, shall be recovered by indictment in any Court proper to try the same; one half to the use of the Commonwealth, and the other half to the use of the complainant.

SEC. 6. *Be it further enacted*, That the qualification of voters in any town, on any question, whether such town will send a Representative to the General Court, and on all questions involving the number of Representatives such town will send, shall be the same, in all respects, as are required by the constitution, to entitle a person to vote in the choice of any individual or individuals to be Representative or Representatives in the General Court of this Commonwealth.

[Approved by the Governor, June 16, 1813.]

CHAP. LXIX.

An Act in addition to an act, regulating the taking of fish in the town of Machias.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, it shall not be lawful for any person to take or catch any Salmon in any part of the rivers, or in any of the streams, bays, or coves described in an act, entitled "An act to regulate the taking of Salmon, Shad, and Alewives in the town of Machias," passed the twenty-seventh day of February, in the year of our Lord, one thousand eight hundred and ten, at any time between the nineteenth day of August and the second day of May ensuing.

Not to catch
salmon, &c.

SEC. 2. *Be it further enacted*, That the provisions in the fifth section of said act, relative to the distance from any sluice or passage-way for the fish, within which per-

sons are prohibited to catch any fish, or set any seine, net, pot, or other machine, for the purpose of taking or catching any of the said fish, shall be applied to the distance of six rods, in the same manner as if that distance was specified in the said act, and that the penalties provided for a breach of the provisions of the said act, shall be extended to a like breach of this act.

[Approved by the Governor, June 16, 1813.]

CHAP. LXX.

An Act to incorporate The Proprietors of Kennebunk Bridge.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Tobias Lord, Simon Nowell, Eliphalet Perkins, Nathaniel Lord, Richard Gillpatrick, Ephraim Perkins, Silas Moody, Francis Watts, Henry Clark, Michael Wise, Isaac Emery, Jedediah Gooch, and Job Emery, with their associates, be, and they are hereby created a Corporation, by the name of 'The Proprietors of Kennebunk Bridge; and by that name may sue and prosecute, and be sued and prosecuted to final judgment and execution; may keep and use a common seal, and may exercise and enjoy the powers and privileges incident and belonging to similar Corporations, and do and suffer all other acts and things, which like bodies corporate may or ought to do and suffer.

Persons incorporated.

SEC. 2. *Be it further enacted,* That the said Bridge shall be kept in good, safe, and passable repair, by said proprietors, and be provided with sufficient railing on each side for the safety of passengers; and there shall always be a draw over the channel thirty-four feet wide, for vessels to pass through, which shall be raised for that purpose at the expense of said proprietors.

Bridge to be kept in good-repair, &c.

SEC. 3. *Be it further enacted,* That for the purpose of reimbursing to the said proprietors the money expended in building said Bridge, and keeping the same in repair, a toll be, and is hereby granted and established, for the sole use and benefit of said Corporation, according to the

rates following, viz :—For each foot passenger, one cent ; one person and horse, three cents ; each horse and chaise, sulkey, or riding chair, ten cents ; each coach, chariot, phaeton, or other four wheeled carriage, twenty cents ; each cart, waggon, sled, sleigh or other carriage of burden, drawn by one beast, six cents ; if drawn by more than one, and not exceeding four beasts, ten cents ; neat cattle and horses, one cent each ; sheep and swine, six cents per dozen : and one person, and no more, shall be allowed to each team as a driver, to pass free of toll ; and the said toll shall commence from the passing of this act :

Rates of toll.

Proviso. *Provided however,* That nothing herein contained shall be construed to prevent the Legislature from reducing the rates of toll hereby established, whenever they shall deem it reasonable so to do.

May call a meeting.

May appoint officers.

Proviso.

SEC. 4. *Be it further enacted,* That any three of the proprietors before named, may, by posting up notifications in some public place in the towns of Wells and Arundel, call a meeting of said proprietors, at such time and place as shall be specified in such notification, ten days at least before the time of meeting ; and the said proprietors being then met, shall proceed to choose a clerk, who shall be sworn to the faithful discharge of said office ; and in voting for said clerk, and in all other cases, one vote shall be allowed to one share, and one vote for every two shares above one, provided no one member shall have more than ten votes ; and the said proprietors may at the same or subsequent meetings, appoint such other officers, and ordain and establish such rules and regulations as they may judge necessary, for the orderly conducting of their affairs, which they may enforce by fines, which shall in no case exceed five dollars : *Provided,* That such rules and regulations shall not be repugnant to the laws of the Commonwealth.

[Approved by the Governor, June 16, 1813.]

CHAP. LXXI.

An Act to set off the Eaton farms, so called, with the inhabitants thereof, from the First Parish of South Reading, and to annex the same to the Second Parish in Reading.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, all the parts and parcels of lands, formerly belonging to the Eaton farms, so called, lying within the town of Reading, and all persons residing thereon, be, and the same are hereby set off from the first parish, or the parish in South-Reading, and annexed to the second or west parish in Reading, to all intents and purposes.
 [Approved by the Governor, June 16, 1813.]

Lands set off
from first
Parish.

CHAP. LXXII.

An Act to authorize the sale of certain School lands, in the town of Blue-Hill.

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Rev. Jonathan Fisher, John Peters, Robert Parker, Reuben Dodge, Esquires, Messrs. Theodore Stephens, Nathan Ellis, and Seth Hewings, all of said Blue-Hill, be, and they are hereby appointed Trustees to sell the School lands in said town of Blue-Hill, and to put at interest the monies arising from such sale, in manner hereinafter mentioned.

Persons ap-
pointed
Trustees.

SEC. 2. Be it further enacted, That the said Trustees be, and they hereby are incorporated by the name of The Trustees of the School Fund in Blue-Hill; and they, and their successors, shall be and continue a body corporate and politic by that name forever; and they shall have a common seal, subject to alteration at their pleasure, and they may sue and be sued in all actions whatsoever, and prosecute and defend the same to final judgment and execution, by their corporate name aforesaid.

Trustees in-
corporated.

Shall choose
officers.

SEC. 3. *Be it further enacted*, That the said Trustees and their successors shall annually elect, by written ballot, a President, and a Clerk to record the doings of said Trustees at their meetings, which Clerk shall be sworn by the President to the faithful discharge of the duties of his office ; also a Treasurer to receive and apply the monies herein after mentioned, as hereinafter directed ; and the said Trustees may also elect in any other manner, at any legal meeting, any other officers needful for the better managing their business.

Five to con-
stitute a
quorum.

SEC. 4. *Be it further enacted*, That the number of Trustees shall not, at one time, be less than five, nor more than seven ; any five of their number to constitute a quorum for transacting business ; and they shall and may from time to time fill up from the inhabitants of said town, such vacancies in their number as may happen by death, resignation, or otherwise ; and they shall have power to remove any of their number, who may become unfit from age, infirmity or misconduct to discharge their duties, and to supply the vacancies, so made, by a new choice as aforesaid ; and the said Trustees shall annually hold a meeting in March or April, and as much oftener as may be necessary to transact their business, which meetings, after the first, shall be called in such way and manner as the Trustees may hereafter direct.

Justice to
appoint a
meeting.

SEC. 5. *Be it further enacted*, That any Justice of the Peace in the county of Hancock, be, and he hereby is authorized to fix the time and place for holding the first meeting of said Trustees, and to notify each Trustee of the same, seven days at least before the time of said meeting.

Trustees
authorised.

SEC. 6. *Be it further enacted*, That said Trustees be, and they hereby are authorised to sell and convey, in fee simple, all the school lands belonging to said town, and to make and execute a good and sufficient deed or deeds thereof, which deed or deeds being signed, acknowledged and delivered by the Treasurer, by direction of the Trustees, with their seal affixed thereto, shall be good and effectual in law, to pass and convey the fee simple from said town to the purchaser, to all intents whatever.

SEC. 7. *Be it further enacted*, That the monies arising from the sale of said lands, together with all donations or grants, that may hereafter be made to said Corporation,

for the use of schools in said town, shall be put to use as soon as may be, and secured by mortgage of real estate, to the full value of the estate sold, or money loaned, or by two or more sufficient sureties, with the principal, or the said Trustees may invest the same in some public securities, or in bank stock.

Appropriation of the monies.

SEC. 8. *Be it further enacted*, That the interest and profits only, arising from said funds shall be appropriated for the use of public schools in said town, and it shall never be in the power of said town, to alter, vary or alienate the appropriation of said funds: *Provided always*, that said Trustees shall have power from time to time, as they see fit, to incorporate such interest or profits with said funds, to be afterwards treated as a part thereof.

Interest, how appropriated.

Proviso.

SEC. 9. *Be it further enacted*, That the Treasurer of the Trustees shall give bond, with two sufficient bondsmen, to the Trustees, faithfully to perform his duty, and shall at all times be responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the intent and meaning of this act, and for all neglect or misconduct of any kind in his office.

Treasurer to give bond.

SEC. 10. *Be it further enacted*, That the Trustees and their officers, for the services they may perform, shall receive no compensation out of the funds, interest or profits aforesaid, but a reasonable compensation for their services shall be paid to them by said town.

Compensation for services.

SEC. 11. *Be it further enacted*, That at every annual meeting of said town, in March or April, the Trustees shall exhibit to the town a fair and true statement of their doings, and of the condition of said fund.

SEC. 12. *Be it further enacted*, That the said Trustees, and each of them, shall be responsible to the town for their personal negligence or misconduct, whether they be officers or not, the damage or loss arising thereby, to be recovered by action, at the suit of the town, in any Court proper to try the same, and the sum so recovered to enure and be for the use aforesaid.

Trustees accountable.

[Approved by the Governor, June 16, 1813.]

CHAP. LXXIII.

An Act to incorporate The President, Directors, and Company of the Lincoln Bank.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That David Trufant, Peleg Tallman, Samuel Davis, Jerom Loring, Charles Clapp, John Dunlap, Actor Patten the 3d, John Richardson, and Jonathan Hyde, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors, and Company of the Lincoln Bank, and shall so continue from the first day of January next, for the term of nineteen years next ensuing; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations as to them may appear necessary and convenient for the government of the said Corporation, and the prudent management of their affairs. *Provided*, Such by-laws, ordinances, and regulations shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall always be subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation, shall consist of one hundred thousand and dollars, in gold or silver, divided into shares of one hundred dollars each—the one hundred thousand dollars shall be paid in the following manner, to wit: twenty-five thousand dollars shall be paid in, on or before the first day of January next, and the remaining seventy-five thousand dollars, on or before the first day of January, which will be in the year of our Lord one thousand eight hundred and fifteen, or by instalments, in such sums and at such earlier periods as the stockholders may direct. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring

Persons in-
corporated.

Time incor-
porated for.

Proviso.

Amount of
capital stock
and of each
share.

and disposing of said stock and the profits thereof, which, being entered on the books of said Corporation, shall be binding on the stockholders, their successors, and assigns. And the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars, and no more at any one time; with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable. *Provided however*, That nothing herein contained, shall restrain or prevent the said Corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said Corporation. *And provided further*, That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

May hold
real estate,
and amount.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations, provisions, restrictions and reservations, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the Bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be in the penalty of ten thousand dollars; that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transacting business. *And provided also*, That the amount of bills, at any one time issued from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Proviso.

Debts not to
exceed fifty
per cent.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Bath.

SEC. 5. *Be it further enacted*, That any Committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults; and if, upon such an examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation

Legislature
shall have
access to
vaults, &c.

have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Authorized
to call a
meeting.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorized to call a meeting of the members and stockholders of said Corporation as soon as may be, at such time and place as they may see fit, by advertising the same for three weeks successively in the Portland Gazette, printed in Portland, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall exhibit
a statement
of accounts.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of debts due to the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver, and copper coin, and bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay
their notes,
if counter-
feited.

SEC. 8. *Be it further enacted*, That said Corporation shall be liable to pay, any bona fide holder, the original amount of any note of said bank counterfeited or altered, in the course of its circulation, to a larger amount, notwithstanding such alteration.

Shall pay
tax to the
Treasurer of
State.

SEC. 9. *Be it further enacted*, That the said Corporation from and after the first Monday of January, eighteen hundred and fourteen, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in: *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature, of all banks that shall be hereafter incorporated within this Commonwealth. *And*

Proviso.

provided further, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of the said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums not less than one hundred dollars, nor more than five-hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

Amount to be appropriated to loans.
Amount of loans.
Security for loans.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any other shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: *Provided however*, that the Commonwealth shall never at any one time stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum on the capital stock actually paid in.

Shall loan to the Commonwealth.
Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Commonwealth may hold stock.

[Approved by the Governor, June 16, 1813.]

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, August 12, 1813.

By this I certify, that the Acts and Laws contained in this pamphlet, which were passed by the Legislature at their June Session, the present year, have been examined, and compared in the office with the originals, and appear to be correct, excepting in the following instances, viz. page 231, chapter viii, TITLE,—read, “An Act in addition to an act, entitled An act in addition to an act, entitled An act to incorporate Isaac Story and others, by the name, &c.” page 251, chapter xxvii. 3d line of 1st Section, for “plantation,” read *township*; page 295, chapter lxvi, 5th line, for “alien,” read *a lien*.

ALDEN BRADFORD, { *Secretary of the*
 { *Commonwealth.*

B

L A W S
OF THE
COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THE SESSION COMMENCING ON THE 12th DAY OF JANUARY, AND
ENDING ON THE 28th DAY OF FEBRUARY,

ONE THOUSAND EIGHT HUNDRED AND FOURTEEN.



CHAP. LXXIV.

An Act to incorporate The Hampden Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joel Norcross, Ward Woodbridge, Eli Goodwin, Russell Talcott, Timothy Packard, Jun. Amos Norcross, John Avery, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Hampden Cotton Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Monson, in the county of Hampden ; and, for the purpose aforesaid, shall have all the powers and privileges, and shall be subject to all the duties and requirements, contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled " An Act, defining the general powers and duties of Manufacturing Corporations.*

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding three hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, January 20, 1814.]

CHAP. LXXV.

An Act to incorporate the President, Directors, and Company of the Augusta Bank.

SEC. 1. **B**E *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That James Bridge, William Robinson, Reuel Williams, John Eveleth, Bartholomew Nason, Samuel Howard, and James Child, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Augusta Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: *provided* such by-laws, ordinances and regulations shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of one hundred thousand dollars, in gold or silver, divided into shares of one hundred dollars each. The one hundred thousand dollars shall be paid in the following manner, to wit: twenty-five thous-

May hold
real and per-
sonal estate.

Persons in-
corporated.

Time incor-
porated for.

Proviso.

Amount of
capital stock
and of each
share.

and dollars shall be paid in, on or before the first day of October next; and the remaining seventy-five thousand dollars on or before the first day of October, which will be in the year of our Lord one thousand eight hundred and fifteen, or by instalments in such sums and at such earlier period as the Stockholders may direct. And the Stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered in the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars, and no more at any one time, with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles, on such security as they shall think advisable. *Provided however,* That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for or in payment of any debts due to the said corporation. *And provided further,* That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

May hold
property and
amount.

Proviso.

SEC. 3. *Be it further enacted,* That the rules, limitations, provisions, restrictions and reservations which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: *provided* that the bond required to be given by the cashier shall be in the penalty of fifteen thousand dollars, that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transacting business. *And provided also,* That the amount of bills at any one time issued from said bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Proviso.

Debts not to
exceed fifty
per cent.

SEC. 4. *Be it further enacted,* That the said bank shall be established and kept in the town of Augusta, in the county of Kennebec.

Legislative
committee
may examine
books, &c.

SEC. 5. *Be it further enacted*, That any committee, specially appointed by the legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults ; and if upon such examination it shall be found, and after a full hearing of the said corporation thereon be determined, by the legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

May call a
meeting.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively in the Herald of Liberty printed at said Augusta,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall trans-
mit statement
of accounts.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and bills of other banks on hand ; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall pay
counterfeit-
ed notes.

SEC. 8. *Be it further enacted*, That said corporation shall be liable to pay any bona fide holder the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first Monday of October next, shall pay, by way of tax, to the Treasurer of this Commonwealth,

for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in: *Provided however*, that the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth. *And provided further*, that nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do. Provisd.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of the said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases. Amount to be appropriated to loans
Security.

SEC. 11. *Be it further enacted*, That whenever the legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any other shorter period at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per cent per annum. *Provided however*, that the Commonwealth shall never at any one time stand indebted to said corporation, against their consent, for a larger sum than twenty per centum on the capital stock actually paid in. Shall loan to the Commonwealth.
Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the legislature made and established, as to the management thereof. Commonwealth may subscribe.

[Approved by the Governor January 21, 1814.]

CHAP. LXXVI.

An Act to incorporate the town of Phipsburgh.

Town incor-
porated, and
boundaries.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all that part of the town of Georgetown, situate on the west side of Kennebec river, together with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Phipsburgh. And the said town of Phipsburgh is hereby vested with all the powers, privileges, and immunities, and shall also be subjected to all the duties, to which other corporate towns are entitled and subjected, by the constitution and laws of this Commonwealth.

To hold pro-
portion of all
property.

SEC. 2. *Be it further enacted*, That the said town of Phipsburgh shall be entitled to hold such proportion of all the real and personal estate now belonging to, and owned in common by the inhabitants of the present town of Georgetown, as the property of the inhabitants of the said town of Phipsburgh now bears to the property of all the inhabitants of the present town of Georgetown, according to the latest valuation thereof, excepting always all right of common landing places, uses, and privileges, heretofore possessed by the inhabitants of said town of Georgetown—all which shall be held and enjoyed by the towns respectively, within whose limits the same may be.

Payment of
debts due.

SEC. 3. *Be it further enacted*, That the said town of Phipsburgh shall be holden to pay their proportion, to be ascertained as aforesaid, of all debts and claims now due and owing from the said town of Georgetown, or which may hereafter be found due and owing by reason of any contract, engagement, judgment of Court, or any matter or thing now or heretofore entered into or existing.

Support of
poor.

SEC. 4. *Be it further enacted*, That the said town of Phipsburgh shall be holden to support their proportion of the present poor of the town of Georgetown, which proportion shall be ascertained as aforesaid; and all persons, who shall or may hereafter become chargeable as paupers, shall be considered as belonging to that town, on whose territory they have gained a legal settlement at the passing of this act, and shall be supported by that town only.

SEC. 5. *Be it further enacted*, That either of the Justices of the Peace for the county of Lincoln is hereby authorised to issue a warrant, directed to some inhabitant of the said town of Phippsburgh, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place as shall be expressed in said warrant, for the choice of all such officers as towns are by law required to choose in the months of March or April annually.

Justice to is
sue Warrant.

SEC. 6. *Be it further enacted*, That the said town of Phippsburgh shall pay their proportion of all such state and county taxes as are already, or may hereafter be assessed upon the inhabitants of the town of Georgetown, until the General Court shall lay a tax upon said town of Phippsburgh.

Taxes asses-
sed.

[Approved by the Governor, January 26, 1814.]

CHAP. LXXVII.

An Act to repeal in part an act, entitled "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act, passed the eighteenth day of June, in the year of our Lord one thousand eight hundred and eleven, entitled "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes," be, and the same is hereby repealed, excepting only the sixth section thereof.

Act repealed

SEC. 2. *Be it further enacted*, That the Clerks of the several counties shall not be obliged to render any account of the monies received since the passing of the act which is hereby, in part, repealed, or perform any of the duties enjoined by the second section of said act.

SEC. 3. *Be it further enacted*, That the present Clerks of the several counties shall continue to exercise the duties of their office until they are re-appointed, or others ap-

Clerk's duty.

pointed in their stead by the Judges of the Supreme Judicial Court.

SEC. 4. *Be it further enacted*, That all acts or parts of acts which would have been in force, if the act which is hereby, in part, repealed, had never been passed, shall be revived and be in force.

[Approved by the Governor, January 27, 1814.]

CHAP. LXXVIII.

An Act to alter the times of holding the Court of Sessions in the county of Hancock.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act, the Court of Sessions for the county of Hancock shall be holden at Castine, in said County, on the several Wednesdays next succeeding the days on which the Circuit Courts of Common Pleas for said county now are, or may hereafter be by law appointed to be holden, instead of the times heretofore established for holding said Court of Sessions; and that all petitions, recognizances, warrants, reports and processes whatsoever, shall be returned to, be entered, have day in, and be proceeded upon in the same court, to be holden on such Wednesdays aforesaid, any law to the contrary notwithstanding.

[Approved by the Governor, January 28, 1814.]

CHAP. LXXIX.

An Act declaring that the town of Livermore shall belong wholly to the county of Oxford.

WHEREAS doubts have arisen whether the whole of the town of Livermore is included in the county of Oxford :

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this

Livermore
attached to
Oxford coun-
ty.

act, the whole of the town of Livermore shall, to all intents and purposes, be a part of and belong to the county of Oxford, any law heretofore made to the contrary notwithstanding.

[Approved by the Governor, January 28, 1814.]

CHAP. LXXX.

An Act to set off Jonah Crosby, Jun. and others from the town of Clinton, and annex them to the town of Fairfax.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Jonah Crosby, Jun. Ezra Crosby, and Jonah Crosby 3d, with a tract of land bounded as follows, to wit: beginning on the North line of the town of Fairfax, one hundred and eighty rods to the eastward of the north-west corner of Fairfax aforesaid; thence running north, twenty-two degrees east, half a mile; thence east-south-east to the east line of the town of Clinton; thence south, twenty-two degrees west, to the north line of Fairfax; thence west-north-west to the first mentioned bounds, be, and are hereby set off from the town of Clinton, in the county of Kennebeck, and annexed to the town of Fairfax, in the same county.

Persons set
off from the
town of Clin-
ton.

[Approved by the Governor, January 31, 1814.]

CHAP. LXXXI.

An Act to incorporate the President, Directors, and Company of the Gardiner Bank.

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Robert Hallowell Gardiner, William Barker, Joseph Bradstreet, Nathan Bridge, Thomas Agry, Sanford Kingsbury, Peter Grant, Joshua Lord, James Marston, Frederick Allen, Stephen Jewett, Edward Swan, Rufus Gay, John Stone, Maltiah Lawrence, and

Persons in-
corporated.

Time incor-
porated for.

Proviso.

Amount of
capital stock
and of each
share.

Proviso.

William Oliver Vaughn, their associates, successors, and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Gardiner Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: *provided* such by-laws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each; twenty-five thousand dollars of which shall be paid in, on or before the first day of September next, and the remaining sum of seventy-five thousand dollars, on or before the first day of September, eighteen hundred and fifteen, or by instalments in such sums, or at such earlier periods, as the stockholders may direct. And the said stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof; which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns. And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable: *Provided however*, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execu-

tion, to any amount, as security for, or in payment of any debts due to the said corporation : *And provided further,* Proviso
That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital stock subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted,* That the rules, limitations, provisions, restrictions, and reservations, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established : *Provided* that the bond required to be given by the Cashier shall be in the penalty of ten thousand dollars ; that the number of Directors annually to be chosen shall be five, and three may constitute a quorum for transacting business : *And provided also,* That the amount of bills, at any one time issued from said bank, shall not exceed fifty per cent beyond their capital stock actually paid in. Proviso.

Debts not to exceed fifty per cent.

SEC. 4. *Be it further enacted,* That the said bank shall be established and kept in the town of Gardiner.

SEC. 5. *Be it further enacted,* That any committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults ; and if, upon such examination, it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void. Legislative committee may examine books, &c.

SEC. 6. *Be it further enacted,* That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said corporation as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively, in any newspaper printed in the county of Kennebeck,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary ; and for the May call a meeting.

choice of the first Board of Directors, and such other officers as they shall see fit to choose.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said bank to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due to the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand ; which statement shall be signed by the Directors and attested by the Cashier, and shall be verified, by oath or affirmation, before some person competent to administer the same.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first day of September next, shall pay, by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in ; *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the legislature of all banks, which shall be hereafter incorporated within this Commonwealth : *And provided further*, That nothing herein shall be construed to impair the rights of the legislature, to lay a tax on any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said Bank, shall always be appropriated to loans to be made to citizens of this Commonwealth ; and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security, by a mortgage of real estate, to the satisfaction of the Directors of said Bank, for a term not less than one year, and

on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money, which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any time, reimbursable by five annual instalments, or at any other shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum : *Provided however*, That the Commonwealth shall never stand indebted at any one time to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

Commonwealth may subscribe.

[Approved by the Governor, January 31, 1814.]

CHAP. LXXXII.

An Act to incorporate William Bartlett and others, into a Company by the name of The Merrimack Insurance Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Bartlett, Jeremiah Nelson, Nicholas Pike, and others, and such persons as have already, or hereafter shall become Stockholders in said Company, being citizens of the United States, be, and they hereby are incorporated into a Company and body politic, by the name of The Merrimack Insurance Company, for and during the term of twenty years after the passing of this act, and by that name may sue, and be

Persons incorporated:

Name.

Powers.

sued, plead and be impleaded, appear, prosecute, and defend to final judgment and execution, and have a common seal, which they may alter at pleasure, and may purchase, hold, and convey any estate, real or personal, for the use of said Company, subject to the restrictions herein after mentioned.

Number of Shares.

SEC. 2. *Be it further enacted*, That a share in the capital stock of the said Company shall be one hundred dollars, and the number of shares shall be one thousand, and if the said number of shares are not already filled, subscriptions shall be kept open under the inspection of the President and Directors of the said Company, until the same shall be filled ; and the whole capital stock, estate or property, which the said Company shall be authorised to hold, shall never exceed one hundred thousand dollars, exclusive of premium notes, or profits arising from said business ; of which capital stock, or property, a sum not exceeding thirty thousand dollars, may be invested in real estate.

Management of Property.

SEC. 3. *Be it further enacted*, That the stock, property, affairs and concerns of said Company, shall be managed and conducted by thirteen Directors, one of whom shall be President thereof, who shall hold their offices for one year, and until others shall be chosen, and no longer ; which Directors shall, at the time of their election, be stockholders and citizens of this Commonwealth, and not Directors in any other Company, carrying on the business of Insurance, and shall be elected on the first Tuesday in January in each and every year, at such times of the day, and at such place in the town of Newburyport, as a majority of the Directors for the time being shall appoint ; of which election public notice shall be given in all the newspapers, which are at the time printed in Newburyport, and continued for ten days immediately preceding such election ; and such election shall be holden under the inspection of three stockholders, not being Directors, to be appointed previous to every election by the Directors, and shall be made by ballot by a majority of votes of the stockholders present, allowing one vote to each share in the capital stock : *Provided*, That no stockholder shall be allowed more than twenty votes, and the stockholders not present may vote by proxy, under such regulations as the said Company shall prescribe.

Proviso.

SEC. 4. *Be it further enacted*, That the Directors so chosen shall meet as soon as may be, after every election, and shall choose out of their body, one person to be President, who shall preside for one year, and until another shall be chosen, and shall be sworn faithfully to discharge the duties of his office ; and in case of the death, resignation, or inability to serve of the President, or any Director, such vacancy or vacancies shall be filled for the year in which they may happen, by special election for that purpose, to be held in the same manner as is herein before directed respecting annual elections for Directors and President.

Election of
President.

SEC. 5. *Be it further enacted*, That the President and six of the Directors, (or seven of the Directors in the absence of the President) shall be a board competent to transact business, and all questions before them shall be decided by a majority of votes ; and they shall have power to make and prescribe such by-laws, rules, and regulations, as to them shall appear needful and proper, touching the management and disposition of the stock, property, estate and effects of said Company, and the transfer of shares, and touching the duties and conduct of the several officers, clerks, and servants employed, and the election of Directors, and all such matters as appertain to the business of insurance, and shall also have power to appoint a secretary, and so many clerks and servants for carrying on the said business, and with such salaries and allowances to them and to the President, as to the said board shall seem meet : *Provided*, such by-laws, rules, and regulations, shall not be repugnant to the constitution and laws of this Commonwealth.

By-laws,
Rules, &c.

Proviso.

SEC. 6. *Be it further enacted*, That there shall be stated meetings of the Directors, at least once in every month, and as often within each month as the President and Board of Directors shall deem proper ; and the President, and a committee of three Directors, to be by him appointed in rotation, shall assemble daily, if need be, for the dispatch of business ; and the said Board of Directors, and the committee aforesaid, at and during the pleasure of the said Board, shall have power and authority, on behalf of the Company, to make insurance upon vessels, freight, money, goods and effects, and against captivity of persons, and on the life of any person during his absence

Meetings of
Directors.

Property in-
sured.

Provision in
case of ab-
sence or
death.

by sea, and in cases of money lent upon bottomry and respondentia, and to fix the premiums and terms of payment; and all policies of insurance by them made, shall be subscribed by the President, or in case of his death, sickness, inability or absence, by any two of the Directors, and countersigned by the Secretary, and shall be binding and obligatory upon the said company, and have the like effect and force, as if under the seal of said company; and the assured may thereupon maintain an action upon the case against the said Company, and all losses duly arising under any policy, so subscribed, may be adjusted and settled by the President and Board of Directors, and the same shall be binding on the Company.

Duty of the
Directors.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors, on the third Tuesday of April and October in every year, to make dividends of so much of the interest, arising from the capital stock and profits of the said Company, as to them shall appear advisable, but the monies received and notes taken for premiums on risks which shall be outstanding, at the time of making such dividends, shall not be considered as part of the profits of the Company; and in case of any loss or losses, whereby the capital stock of the Company shall be lessened before the whole amount of the stock is paid in, each proprietor or stockholder's estate shall be held accountable for the deficiency that may be due on his share, or shares, at the time of said loss, or losses taking place, to be paid into the said Company, by assessments, or such other mode, and at such time or times as the Directors shall order; and no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital; and that once in every two years, and oftener, if required by a majority of votes of the stockholders, the Directors shall lay before the stockholders at a general meeting, an exact and particular statement of the profits, if any there be, after deducting losses and dividends.

Stockholders
estates ac-
countable for
deficiency.

Investment
of the funds.

SEC. 8. *Be it further enacted*, That the said Company shall not directly or indirectly deal or trade in buying or selling any goods, wares or merchandize, or commodities whatsoever, and the capital stock of said Company after being collected at each instalment, shall, within six months after payment of each instalment, be invested either in the funded debt of the United States, or of this Common-

wealth, or in the stock of the United States' Bank, or of any incorporated Bank in this Commonwealth, at the direction of the President and Directors of the said Company, or of other officers, which the proprietors shall for such purposes appoint.

SEC. 9. *Be it further enacted*, That the whole of the capital stock of said Company, shall be paid in, on or before the 15th day of April next, and under such penalties as the said Company shall direct.

Payment of
shares.

SEC. 10. *Be it further enacted*, That the property of any member of said Company, vested in the stock of said Company, shall be liable to attachment, and to the payment and satisfaction of his just debts, to any of his bona fide creditors, in manner following, to wit : in addition to the summons by law prescribed to be left with the defendant, a like summons shall be left with the secretary of said Company, and the debtor's share or shares in the said Company's funds, together with the interest and profits due or growing due thereon, or so much thereof as shall be sufficient, shall thereby be held to respond said suit according to law ; and all transfers of the debtor's shares, not noted in the books of the Company, previous to the delivery of such summons, shall be barred thereby, and execution may be levied upon the property of any stockholder in said Company, and his share or shares therein exposed to sale in the same manner as is by law prescribed where personal estate is taken in execution ; and it shall be the duty of the officer who extends such execution, to leave an attested copy thereof, with his doings thereon, with the Secretary of said Company, and the purchasers shall thereupon be entitled to the reception of all dividends and stocks which the debtor was previously entitled to ; and upon any attachment being made, or execution levied on any shares in said Company, it shall be the duty of the Secretary of said Company, to expose the books of the Company to the officer, and to furnish him with a certificate under his hand, in his official capacity, ascertaining the number of shares the debtor holds in said Company, and the amount of the dividends due thereon.

Members'
property lia-
ble to attach-
ment.

Duty of offi-
cer who ex-
tend the ex-
ecution.

SEC. 11. *Be it further enacted*, That in case of any loss or losses taking place that shall be equal to the amount of the capital stock of the said company, and the President or Directors, after knowing of such loss or losses taking

Penalty for
subscribing
policy after
loss.

place, shall subscribe to any Policy of Insurance, their estates, jointly and severally, shall be accountable for the amount of any and every loss that shall take place, under policies thus subscribed.

SEC. 12. *Be it further enacted*, That the President and Directors of said company shall, previous to their subscribing to any policy, and once in every year after, publish in all the newspapers printed at the time in Newburyport, the amount of their stock, against what risks they mean to insure, and the largest sums they mean to take on any one risk.

SEC. 13. *Be it further enacted*, That the President and Directors of said company shall, when and as often as required by the Legislature of this Commonwealth, lay before them a statement of the affairs of said company, and submit to an examination concerning the same under oath.

SEC. 14. *Be it further enacted*, That William Bartlett and Nicholas Pike are hereby authorised to call a meeting of the members of said company, as soon as may be, in Newburyport, by advertising the same for three weeks successively in the newspaper printed in said town, for the purpose of electing the first Board of Directors, who shall continue in office until the first Tuesday of January next following, and until others are chosen in their room.

SEC. 15. *Be it further enacted*, That the Newburyport Marine Insurance Company, and the Merrimack Marine and Fire Insurance Company, in Newburyport, may, at any meeting duly called therefor, dissolve their respective corporations; and each of said companies may appoint a committee to collect the debts due to, and settle all demands against the said corporations, with the same powers therefor as the Presidents and Directors of said companies now have. And it shall be the duty of committees so chosen, to apportion the residue of their funds among the stockholders of said companies respectively, according to the number of shares by them holden in said corporation, and to adopt all proper measures for bringing the concerns of the said companies to a close.

[Approved by the Governor February 1, 1814.]

CHAP. LXXXIII.

An Act to incorporate The Massachusetts File Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Seth Boyden, Jun. Warren Dutton, their associates, successors and assigns, be, and they hereby are made a corporation, by the name of The Massachusetts File Manufacturing Company, for the purpose of manufacturing files and other manufactures of iron and steel, at Sharon, in the county of Norfolk, and Boston, in the county of Suffolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act, defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted,* That the capital stock of said corporation shall not exceed two hundred thousand dollars; and they may be lawfully seized and possessed of such real estate as may be necessary and convenient for the purposes aforesaid, not exceeding the value of thirty thousand dollars, exclusive of the buildings and improvements that may be made thereon by the said corporation.

May hold real and personal estate.

[Approved by the Governor, February 3, 1814.]

CHAP. LXXXIV.

An Act to incorporate The West-Boylston Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Silas Newton, Peter Holmes, Frazier Sargent, Alpheus Smith, John Woodcock, James Smith, Aaron Morse, Henry Sargent, Thomas Holmes, Joseph White, Elisha Mirick, and their associates, suc-

Persons incorporated.

cessors and assigns, be, and they hereby are made a corporation, by the name of The West-Boylston Manufacturing Company, for the purpose of manufacturing cotton and woollen cloths and fine wire, at West-Boylston, in the county of Worcester; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, eighteen hundred and nine, entitled "An act, defining the general powers and duties of Manufacturing Corporations."

May hold real and personal estate.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall not exceed one hundred and forty-four thousand dollars; and they may be lawfully seized and possessed of such real estate as may be necessary and convenient for the purposes aforesaid, not exceeding the value of thirty-four thousand dollars, exclusive of buildings and improvements that may be made thereon by said corporation.

[Approved by the Governor, February 3, 1814.]

CHAP. LXXXV.

An Act to unite the Parishes in Fitchburgh.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That an act, entitled "An act to incorporate a number of the inhabitants of the town of Fitchburgh, in the county of Worcester, into a religious society, by the name of the Calvinistic Congregational Society in Fitchburgh," passed on the fourteenth day of June, in the year of our Lord one thousand eight hundred and five, be, and hereby is repealed; and the Calvinistic Congregational Society in Fitchburgh, and the First Parish in said town, shall hereafter constitute one parish: *Provided however*, That both of said parishes shall be holden, in their corporate capacity, to perform all contracts and agreements already entered into. And the Calvinistic Congregational Society in Fitchburgh shall have power, in their corporate capacity, to convey or otherwise dispose of any real or personal estate, which now belongs to said corporation.

Parishes united.

[Approved by the Governor, February 3, 1814.]

CHAP. LXXXVI.

An Act for the support of the Ministry and Schools, in the town of Norway.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua Smith, and Jonathan Cummings, all of Norway, in the county of Oxford, be, and they are hereby appointed, a committee to sell all that part of a tract of land, granted to the said town of Norway by a resolve of the General Court, passed the fourth day of March, A. D. eighteen hundred and one, for the use of the ministry and the support of schools in the said town; and also all the ministerial and school lands, secured to the said town by its original act of incorporation, and to pay over the proceeds of said sale to the trustees of said fund herein after appointed.

Persons incorporated.

SEC. 2. *Be it further enacted,* That the said Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua Smith, and Jonathan Cummings, be, and they hereby are authorised and empowered to sell and convey, in fee simple, all the said ministerial and school lands before mentioned, either granted or secured to the said town; and to make, execute, and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, signed and sealed by them, or any four of them, shall be good and effectual in law, to pass and convey the said land, in fee simple, from said town to the purchaser or purchasers, to all intents and purposes whatsoever.

Authorised to sell lands.

SEC. 3. *Be it further enacted,* That the said Job Eastman, Nathan Noble, Joshua Crocket, Solomon Millet, Levi Whitman, Joshua Smith, and Jonathan Cummings, be, and they hereby are incorporated into a body politic, by the name of The Trustees of the Ministerial and School Funds in the town of Norway, and they and their successors shall continue a body corporate forever, by that name; and shall have a common seal, subject to be altered at their pleasure; and may sue and be sued in all actions, and prosecute and defend the same to final judgment, by their name aforesaid. And the said trustees may annually elect a President and a

Trustees incorporated.

Clerk, to record the doings and transactions of the said corporation, at their meetings, and a Treasurer, to receive and apply the monies herein after mentioned, as herein after directed, and any other needful officers, for the better managing of their business.

Number of Trustees. SEC. 4. *Be it further enacted*, That the number of the said trustees in the said body politic shall not, at any one time, be more than seven, nor less than five—any five of whom shall constitute a quorum for transacting business; and any three of their number shall constitute a quorum, for the purpose of adjourning from time to time. And they may and shall, from time to time, fill up vacancies in their number, which may happen by death, resignation, or otherwise, from the inhabitants of said town; and shall also have power, from time to time, to remove any of their number, who may become unfit or incapable from age, infirmity, misconduct, or any other cause, to discharge their duty; and supply any vacancy, so made, by a new choice, from the inhabitants as aforesaid. **Annual meeting of Trustees.** And the said trustees shall annually hold a meeting, in March or April, and as much oftener as may be found necessary, to transact their necessary business; which meeting, after the first, shall be called in such way and manner, as the trustees may hereafter direct.

Duty of the Trustees. SEC. 5. *Be it further enacted*, That the said trustees shall receive the monies, arising from the sale of the said lands, and put the same at interest, as soon as may be, and shall be secured by mortgage of real estate, to the full value thereof, or by two or more sureties with the principal, unless the trustees shall think it best to invest the same in public funded securities, or bank stock of any bank of this Commonwealth, at their discretion.

Interest, how applied. SEC. 6. *Be it further enacted*, That the interest arising from the said funds may and shall be annually, or oftener, applied to the use of the ministry and schools in the said town of Norway, in proportion to the sum which the sale of the land, exclusively appropriated for each purpose, may produce. And it shall never be in the power of the said town or trustees, to alienate, or in any wise alter or change the appropriation of the funds aforesaid.

SEC. 7. *Be it further enacted*, That the clerk of said corporation shall be sworn, previous to his entering on the duties of his office; and the treasurer of the said corpora-

tion shall give bond, in double the amount of the monies by him received, to perform his duty faithfully, and to be at all times responsible for the application and appropriation of the money which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his said office; and the said bond shall be given up to the treasurer of said town, to be by him collected, for the benefit of the said fund.

Duties of the
Treasurer.

SEC. 8. *Be it further enacted*, That the said trustees, or their officers, for any services they may perform, shall be entitled to no compensation out of any money, arising from the fund aforesaid; but may be compensated in such way, and to such amount, as the said town, in town meeting, may direct and order. And the said trustees and their successors shall exhibit to the said town, at their annual meeting in March or April, a fair and regular statement of their doings. And the said trustees shall be responsible to the said town, for their personal negligence or misconduct, whether they be officers or not; and liable to a suit, for any loss or damage arising thereby—the debt or damage, to be recovered in said suit, to be for the use of the fund aforesaid.

Compensa-
tion of Trus-
tees.

SEC. 9. *Be it further enacted*, That Albion K. Parris, Esq. a Justice of the Peace for the county of Oxford, be, and he is hereby authorised, upon application therefor, to issue a warrant, directed to one of the said trustees before named, requiring him to notify and warn the first meeting of the said trustees, at such time and place as shall be expressed in said warrant, to organize the said corporation, by the election and appointment of its officers.

Justice to is-
sue warrant.

[Approved by the Governor, February 3, 1814.]

CHAP. LXXXVII.

An Act to incorporate The North Yarmouth Academy.

WHEREAS the encouragement of literature in the rising generation has ever been considered by the wise and good, as the basis upon which the safety and happiness of a free people ultimately depend: And where-

Preamble.

as it appears from a petition of a number of the inhabitants of the town of North Yarmouth, that they have expended a considerable sum towards erecting a suitable building for an Academy in said town :

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That there be, and hereby is established, in the town of North Yarmouth, an Academy, by the name of North Yarmouth Academy, for the purpose of promoting piety and virtue, and for the education of youth in such languages, and such of the liberal arts and sciences as the trustees shall direct : And the Rev. Francis Brown, Mr. Cushing Prince, the Rev. Amasa Smith, Hon. Ammi R. Mitchell, Rev. Thomas Green, Rev. Sylvanus Boardman, Gen. Alford Richardson, Rev. John Dutton, Tristram Gilman, Seth Mitchell, William Barrows, Jun. Edward Russell, Esquires; Messrs. Nathaniel Jenks, Allen Drinkwater, and Calvin Stockbridge, be, and they hereby are nominated and appointed Trustees of said Academy ; and they are hereby incorporated into a body politic, by the name of the Trustees of North Yarmouth Academy ; and they and their successors shall be and continue a body politic and corporate, by the same name forever.

SEC. 2. *Be it further enacted,* That all the lands and monies heretofore given or subscribed, or which, for the purpose aforesaid, shall be hereafter given, granted and assigned unto the said Trustees, shall be confirmed to the said Trustees and their successors in that trust forever, for the uses which in such instruments shall be expressed ; and they, the said Trustees, shall be further capable of having, holding, and taking in fee simple, by gift, grant, devise or otherwise, any lands, tenements, or other estate, real or personal : *Provided,* the annual income of the same shall not exceed three thousand dollars, and shall apply the rents and profits thereof in such manner as that the end and design of the institution may be most effectually promoted.

SEC. 3. *Be it further enacted,* That the said Trustees shall have full power, from time to time, as they shall determine, to elect such officers of the said Academy, as they shall judge necessary and convenient, and fix the tenures of their respective offices ; to remove any Trustee

from the Corporation, when in their opinion he shall be incapable, through age or otherwise, of discharging the duties of his office; to fill all vacancies by electing such persons for Trustees, as they shall judge best; to determine the times and places of their meetings; the manner of notifying the said Trustees; the method of electing or removing Trustees; to ascertain the powers and duties of their several officers; to elect preceptors and teachers of said Academy; to determine the duties and tenures of their offices; to ordain reasonable rules, orders and by-laws, not repugnant to the laws of the Commonwealth, with reasonable penalties, for the good government of the Academy, as to them the said Trustees and their successors shall, from time to time, according to the various occasions and circumstances, seem most fit and requisite; all which shall be observed by the officers, scholars, and servants of said Academy, upon the penalties therein contained.

Vacancies
supplied.

SEC. 4. *Be it further enacted*, That the Trustees of the said Academy may have one common seal, which they may change at pleasure; and that all deeds made, signed and sealed with said common seal, and duly executed by the Treasurer of said Trustees, by their order, shall be considered valid in law, as good deeds of bargain and sale; and that the Trustees of said Academy, may sue and be sued, in all actions, real, personal and mixed, and prosecute and defend the same unto final judgment and execution; by the name of the Trustees of North Yarmouth Academy.

Seal of office.

SEC. 5. *Be it further enacted*, That the number of said Trustees shall not, at any one time, be more than fifteen, nor less than nine, seven of whom shall constitute a quorum for doing business; and a majority of the members present, at any legal meeting, shall decide all questions proper to come before the Trustees.

Number of
Trustees
limited.

SEC. 6. *Be it further enacted*, That the Hon. Ammi R. Mitchell, be, and he hereby is authorized and empowered to fix the time and place for holding the first meeting of the said Trustees, and to notify them thereof.

First Meeting

[Approved by the Governor, February 4, 1814.]

CHAP. LXXXVIII.

An Act to incorporate The Gay Cotton Manufacturing Company in Stoughton.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Lemuel Gay, Otis Briggs, Simeon Presbee, Jun. Ephraim Stephens, Isaac Reynolds, Seth Pratt, Nathan Drake, Sd. Joseph Battles, Benjamin Battles, and John Gay, together with such others, as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Gay Cotton Manufacturing Company, for the purpose of manufacturing cotton goods, in the town of Stoughton, in the county of Norfolk; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

May hold re-
al and per-
sonal estate.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized, and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 4, 1814.]

CHAP. LXXXIX.

An Act to incorporate The Boston Porcelain and Glass Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Jesse Putnam, Thomas Curtis, and George Blake, with such others as already have associated, or hereafter may associate with them, their suc-

Persons in-
corporated.

cessors or assigns, be, and hereby are made a Corporation, by the name of The Boston Porcelain and Glass Company, for the purpose of manufacturing earthen ware and glass of all kinds, at any place or places, within the Commonwealth, not exceeding three, and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding fifty thousand dollars, and such personal estate, not exceeding one hundred and fifty thousand dollars in value, as may be necessary and convenient for carrying on the aforesaid manufacture. May hold real and personal estate.

[Approved by the Governor, February 4, 1814.]

CHAP. XC.

An Act to incorporate the President, Directors, and Company of the Springfield Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Jonathan Dwight, John Hooker, George Bliss, James Byers, James S. Dwight, Justin Ely, Jonathan Dwight, Jun. Moses Bliss, Jun. Edward Pynchon, and Oliver B. Morris, their associates, successors, and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors, and Company of the Springfield Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient for the government of the said corporation, and the Persons incorporated.
Time incorporated for.

Proviso.

prudent management of their affairs: *provided* such by-laws, ordinances, and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Amount of
capital stock
and of each
share.

SEC. 2. *Be it further enacted*, That the capital stock of the said corporation shall consist of the sum of two hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments: the first, on the first day of June next; the second, on the first day of December next; the third, on the first day of June next after; and the fourth, on the first day of December next after. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof; which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns. And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of thirty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: *Provided however*, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said corporation: *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to fifty thousand dollars.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations, and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: *Provided* that the bond required to be given by the Cashier shall be given in the penalty of twenty thousand dollars; that the number of Directors to be annually chosen shall be five,

Proviso.

and three may constitute a quorum for the transaction of business: *And provided also*, That the amount of debts, at any one time due from said bank, shall not exceed fifty per centum beyond their capital stock actually paid in. Debts not to exceed fifty per cent.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Springfield, in the county of Hampden.

SEC. 5. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money, that may be required, not exceeding twenty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate not exceeding five per centum per annum: *Provided however*, That the Commonwealth shall never, at any one time, stand indebted to the said corporation, without their consent, for a larger sum than thirty thousand dollars. Shall loan to the Commonwealth. Proviso.

SEC. 6. *Be it further enacted*, That any committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults; and if, upon such examination, it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions, or conditions in this act provided, the incorporation shall thereupon be declared forfeited and void. Legislative committee may examine books, &c.

SEC. 7. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorised to call a meeting of the members and stockholders of said corporation as soon as may be, at such time and place as they may see fit, (by advertising the same three weeks successively, in the Hampden Federalist, printed at Springfield,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting the affairs of the said corporation, as the said stockholders shall deem necessary; and for the choice of the first Board of Directors, and such other officers as they shall see fit to choose. May call a meeting.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of said bank to transmit to the Governor

Shall trans-
mit statement
of accounts.

and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of debts due the same, of the monies deposited therein, of the notes in circulation, and of the gold, silver and copper coin, and the bills of other banks on hand ; which statement shall be signed by the Directors and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same.

Common-
wealth may
subscribe.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

Shall pay
counterfeit-
ed notes.

SEC. 10. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax
to the Treas-
urer.

Proviso.

SEC. 11. *Be it further enacted*, That the said corporation, from and after the first day of June next, shall pay, by way of a tax, to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in ; *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the legislature of all banks that are now, or shall be hereafter incorporated within this Commonwealth : *And provided further*, That nothing herein contained shall be construed to impair the rights of the legislature, to lay a tax or excise on any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Amount to
be appropri-
ated to loans

SEC. 12. *Be it further enacted*, That one tenth part of the whole funds of said Bank, shall always be appropriated to loans to be made to citizens of this Commonwealth ; and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which

loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower with collateral security, by a mortgage of real estate, to the satisfaction of the Directors of the said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption, as are by law provided in other cases. Security.

[Approved by the Governor, February 4, 1814.]

CHAP. XCI.

An Act to establish The Dedham Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Samuel Dexter, David S. Greenough, Aaron Davis, Charles Davis, John Grew, James Richardson, and John Guild, together with such other persons as may hereafter associate with them, their successors and assigns, be, and hereby are made a Corporation, by the name of The Dedham Manufacturing Company, for the purpose of manufacturing wool, cotton and iron, in the town of Dedham, in the county of Norfolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed in the year of our Lord, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations." Persons in-
corporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of four hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactory of wool, cotton and iron, in the town of Dedham aforesaid. May hold
real and per-
sonal estate.

[Approved by the Governor, February 4, 1814.]

CHAP. XCII.

An Act to establish the Town of Searsmont, in the County of Hancock.

Town incor-
porated, and
boundaries.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the plantation, known by the name of Searsmont, in the county of Hancock, as contained within the following described bounds, with the inhabitants thereon, be, and hereby is established as a town by the name of Searsmont, viz. at a birch tree and stake and stones in the northwesterly line of Lincolnville; thence running south fifty-six degrees west, on said line four miles and one hundred and ten rods to a beech tree, being the northwest corner of said Lincolnville, and standing in the easterly line of the twenty associates' land; thence north thirty-four degrees west, on said line of said twenty associates, six miles and two hundred and sixteen rods to a stake and stones, at an angle in said line called the Elbow; thence north, thirty-four degrees east, on said twenty associates' line, five miles and two hundred and fourteen rods to a stake and stones; thence south, thirty-four degrees east, adjoining land of Samuel Parkman, Esq. three hundred and ten rods to a stake and stones; thence south, twenty-six degrees east, on land of Benjamin Joy, Esq. eight miles to the place of beginning: And the inhabitants of said town of Searsmont are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Justice to is-
sue Warrant.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hancock is hereby empowered, on application therefor, to issue a warrant directed to an inhabitant, freeholder of the said town of Searsmont, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place, as shall be appointed in the said warrant for the choice of such officers, as towns are by law required to choose and appoint, at their annual town meetings.

[Approved by the Governor, February 5, 1814.]

CHAP. XCIII.

An Act in addition to the several acts establishing and regulating The Third Massachusetts Turnpike Corporation.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Third Massachusetts Turnpike Corporation be, and they hereby are authorised to demand and receive of each passenger at each gate erected on said Turnpike road, for every waggon, cart or truck, drawn by one horse, six cents and one quarter of a cent, and for every sleigh, or sled, drawn by one horse, five cents: *Provided however*, that nothing herein contained, shall extend to entitle said Corporation to demand or receive toll from any person passing to or from his usual place of public worship, or from any person residing in the towns where either of the gates may be placed, unless they are going or returning from beyond the limits of said town, or from any person going to or from any grist-mill, or on the common and ordinary business of family concerns.

Rates of toll.

Provide.

[Approved by the Governor, February 5, 1814.]

CHAP. XCIV.

An Act to divide the town of Canaan, and to establish the westerly part thereof a separate town, by the name of Bloomfield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all that part of the town of Canaan, lying west of Kennebeck river, in the county of Somerset, as described by the following bounds, be, and hereby is established as a separate town, by the name of Bloomfield, viz. Easterly by a line drawn on the middle of Kennebeck river, including all the islands belonging to

Town incorporated and boundaries.

the jurisdiction of the town of Canaan by its act of incorporation, (excepting Oaks' Island) and northerly, westerly and southerly by its present bounds; and the inhabitants of the said town of Bloomfield are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Holden to
pay arrears
of taxes.

SEC. 2. *Be it further enacted*, That the inhabitants of the said town of Bloomfield shall be holden to pay the arrears of all State, County and Town taxes, which have been legally assessed upon them, together with their proportion of all debts due from the said town of Canaan, prior to the date of this act; and the said town of Bloomfield shall be entitled to receive their proportion of the said debts and taxes due to the said town, when collected and paid into said town; and the said town of Bloomfield shall be entitled to hold four seventh parts of all the personal property, belonging to the town of Canaan, before the passing of this act, and all future State and County taxes, which may be levied on the said towns of Canaan and Bloomfield, previous to a new valuation, shall be assessed, and paid in the proportion of four sevenths by the town of Bloomfield, and three sevenths by the town of Canaan.

Entitled to
proportion of
real and personal
property.

Ministerial
property divided.

SEC. 3. *Be it further enacted*, That the ministerial property belonging to the said town of Canaan, shall be divided and proportioned between the said towns of Canaan and Bloomfield, according to the last ministerial tax assessed upon the said town of Canaan.

To support
poor.

SEC. 4. *Be it further enacted*, That the said town of Bloomfield shall be holden to support their proportion of the poor of the town of Canaan, which are now chargeable to said town; which proportion shall be ascertained by the present valuation of the town; and all persons, who may hereafter become chargeable as paupers to the said towns of Canaan or Bloomfield, shall be considered as belonging to that town, or the territory of which they had their settlement at the time of the passing of this act, and shall in future be chargeable to that town only.

Justice to issue
warrant.

SEC. 5. *Be it further enacted*, That any Justice of the Peace for the county of Somerset, is hereby empowered, upon application therefor, to issue a warrant, directed to a

freehold inhabitant of the said town of Bloomfield, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers, as towns are by law required to choose and appoint, at their annual town meetings.

[Approved by the Governor, February 5, 1814.]

CHAP. XCV.

An Act to alter the name of the town of Gerry, in the county of Worcester.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the name of the town of Gerry, in the county of Worcester, be, and the same hereby is altered to the name of Phillipston; and that said town shall henceforth be known and called by the said last mentioned name, any thing in the act whereby the said town was incorporated notwithstanding.

Name of the town altered

[Approved by the Governor, February 5, 1814.]

CHAP. XCVI.

An Act to establish the easterly part of the Plantation, heretofore called Green, in the county of Hancock, as a town, by the name of Belmont.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all that part of the plantation, heretofore known by the name of Green, in the county of Hancock, as contained within the following described bounds, be, and the same is hereby established as a town, by the name of Belmont, viz. beginning at a yellow birch tree, being at the southwesterly corner of the town of Belfast; thence north, twenty-two degrees west, by the line of said Belfast, four miles and two hundred and ninety-two

Town incorporated.

Boundaries
described.

rods, to a maple tree, being the northwesterly corner of Belfast aforesaid; thence continuing the same course by unincorporated lands, two miles and one hundred and seven rods, to a stake and stones; thence north, eighty-three degrees west, by the plantation of Knox, two miles and one hundred and twenty rods, to a stake and stones, in the line of Montville; thence south, thirty-four degrees west, by the line of Montville, one mile and one hundred and ninety-eight rods, to a stake and stones, being the north corner of Searsmont; thence south, thirty-four degrees east, by the line of Searsmont, three hundred and ten rods, to a stake and stones; thence south, twenty-six degrees east, by the line of said Searsmont, eight miles, to a birch tree, in the line of Lincolnville; thence north, fifty-six degrees east, by the line of Lincolnville, one mile and two hundred and seventy-five rods, to a stake and stones, in the line of Northport; thence northwest, by the line of Northport, eighty-two rods, to a stake and stones; thence north, fifty-six degrees east, by the line of said Northport, one mile and forty-five rods, to the place of beginning. And the inhabitants of the said town of Belmont are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions of other corporate towns, according to the constitution and laws of this Commonwealth.

Justice to is-
sue warrant.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hancock is hereby empowered, upon application therefor, to issue a warrant, directed to a freehold inhabitant of the said town of Belmont, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at such convenient time and place as shall be expressed in said warrant, for the choice of such town officers, as towns are by law empowered to choose and appoint at their annual town meetings.

[Approved by the Governor February 5, 1814.]

CHAP. XCVII.

An Act, declaring the true intent and meaning of an act, entitled "An act to provide for the safe keeping all prisoners committed under the authority of the United States in the several gaols within this Commonwealth."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That nothing contained in an act, entitled "An act to provide for the safe keeping all prisoners, committed under the authority of the United States, in the several gaols within this Commonwealth," shall be so construed, as to authorise the keepers of the said gaols to take custody of, and keep within said gaols any prisoners, committed by any other authority than the Judicial authority of the United States. Explanation of act.

And whereas, several prisoners of war have been committed to gaols within this Commonwealth, under the executive authority of the United States :

SEC. 2. *Be it further enacted,* That the keepers of the said gaols are hereby authorised and required to discharge from the said gaols all such prisoners of war, after the expiration of thirty days from the passing of this act, unless they shall be sooner discharged by the authority of the United States. To discharge prisoners of war.

[Approved by the Governor, February 7, 1814.]

CHAP. XCVIII.

An Act, in addition to the several laws now in force, to preserve and regulate the taking of Shell Fish in the town of Wellfleet, in the county of Barnstable.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, no fisherman or other person, not an inhabitant of said town, shall take or carry away, at any one time, more

Shall not
take fish with-
out a permit.

than one bushel of clams or quahogs, including their shells, without a permit first obtained from the selectmen in writing, expressing the name of the person and the quantity permitted to be taken; and every person so offending shall forfeit and pay, for every bushel so taken, the sum of one dollar, any thing in the act to which this is in addition to the contrary notwithstanding: *Provided nevertheless*, That the selectmen, or the major part of them for the time being, shall have power to give permits in writing to any person, to take clams and quahogs in said town of Wellfleet, at such times and in such quantities as they may think reasonable, and express in their permits: *Provided also*, That any inhabitant of said town of Wellfleet, without such permit, shall have a right to take shell fish for the use of his family.

Proviso.

Fines and
forfeitures.

SEC. 2. *Be it further enacted*, That all fines and forfeitures, which may be incurred by force and virtue of this act, shall enure, one half to him or them who may sue for the same, and the other half to the said town of Wellfleet; and the same shall be recovered, with legal costs of suit in an action of debt, before any Justice of the Peace for the county of Barnstable not interested therein.

May take
fish for their
own use.

SEC. 3. *Be it further enacted*, That nothing in this act shall be so construed, as to prevent the inhabitants of the town of Eastham from taking any quantity of shell fish, at any time, in the same way and manner as though this act had never been made.

[Approved by the Governor, February 10, 1814.]

CHAP. XCIX.

An Act to establish The Second Pembroke Woollen and Cotton Factory Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Nathaniel Cushing, Charles Josselyn, Nathaniel Soper, Joseph Torrey, Charles Cushing, and Cornelius Cobb, with such persons as already have, or hereafter may associate with them, their successors and assigns, shall be, and hereby are made a corpo-

Persons in-
corporated.

ration, by the name of The Second Pembroke Woollen and Cotton Factory Company, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Pembroke, with the business necessarily connected therewith; and for such purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of real estate, not exceeding thirty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary for the purposes aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 10, 1814.]

CHAP. C.

An Act empowering the Stockholders of Banks within this Commonwealth, to alter, amend, and annul their By-Laws.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall and may be lawful for the Stockholders of any Bank within this Commonwealth, and they are hereby authorised and empowered, at any meeting duly called for the purpose, by a majority of votes, to alter, amend, and annul any article or articles of the by-laws of such Bank, and to substitute, make and ordain such other article or articles, as shall by them be deemed reasonable and expedient; which article or articles so substituted, made and ordained, and entered upon the books of the Corporation, shall be binding on the stockholders, their successors and assigns, in as full and ample manner, as if the same had been originally established by such stockholders, at their first meeting: *Provided*, the same be not repugnant to the fundamental principles of the charter of such Bank, or to the laws of this Commonwealth.

Banks empowered to alter or amend their by-laws.

Proviso.

[Approved by the Governor, February 10, 1814.]

CHAP. CI.

An Act in addition to "An act providing for the safe keeping of the Records in the offices of the Register of Deeds and of the Register of Probate in the several counties in this Commonwealth."

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the further time of two years, from the twenty-eighth day of February, eighteen hundred and fourteen, be allowed the several Courts of Sessions in this Commonwealth to provide buildings for the safe keeping of Records in the several counties, any law to the contrary notwithstanding.

Further time
allowed.

[Approved by the Governor, February 10, 1814.]

CHAP. CII.

An Act to incorporate the First Baptist Society in the towns of Steuben and Harrington, and Plantation number eleven, in the county of Washington.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Elisha Small, Alexander Nickels, Joseph Wallace, Jun. James Campbell, William McKey, Ezekiel Fickett, Richard Collin, Jun. John Patten, Joseph Ray, Benjamin Alline, Richard Collier, William Ray, Jeremiah Strout, Ephraim Fickett, James Foster, Ezekiel F. Kellogg, Charles Wille, William Wille, Gowin Willson, John Lawrence, Ephraim Dorman, Zebulon Fickett, Benjamin Strout, John Dinsmore, Jun. John Jordan, John Archer, David Brown, William Campbell, Samuel Wakefield, Robert Moore, Joseph Hutchings, Lemuel Dyer, Joseph Sawyer, Nathaniel Jordan, Benjamin Wakefield, Jonathan Stevens, sen. Thomas Parrit, James Yeaton, Hatevil Leighton, Ebenezer Down, Daniel Lovett, Benjamin Sanborn, Job Gibbs, Ichabod God-

Persons in-
corporated.

frey, Marshall Hill, Obed Hutchings, Edward Webb, Daniel Wakefield, Peter Dunbar, Obed Dunbar, Samuel Dorman, James Kingsley, Joseph Stevens, Samuel Parrett, John Yeaton, Asa Dyer, Jonathan Leighton, Levi Parrett, Alexander Pribble, Allen Smith, Israel Leighton, Samuel Stevens, Charles Corthell, Robert Tucker, Samuel Kingsley, Timothy Small, Isaac C. Noyse, John Small, Nathaniel Wilson, James Fickett, Ephraim Dorman, Nathan Godfrey, Benjamin Dorman, John Hanna, Josiah Wallace, John Ray, Josiah Sawyer, James Wallace, Francis S. Grace, Joseph Strout, Tobias Patten, Elisha Strout and Amaziah Ricker, with their families and estates, be, and they are hereby incorporated into a Religious Society, by the name of the First Baptist Society in the towns of Steuben and Harrington, and plantation number eleven, in the county of Washington, with all the powers, privileges and immunities, to which parishes are entitled by the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That any person in the towns of Steuben, or Harrington, or Plantation number eleven, who may be desirous of becoming a member of the said First Baptist Society, and shall declare such intention in writing, given into the clerk of the said First Society, fifteen days previous to the annual parish meeting, and shall receive a certificate signed by the said clerk, or the minister of said First Society, that he or she has actually become a member of, and united in religious worship with the said First Society, such person shall, from the date of such certificate, with his or her polls and estate, be considered as a member of said society.

Method of
becoming a
member.

SEC. 3. *Be it further enacted*, That when any member of the said First Baptist Society shall see cause to leave the same, and to unite in religious worship with any other religious society in either of the said towns or plantation, and shall give notice of such intention to the clerk of said First Society, and shall also give in his or her name to the clerk of such other society, fifteen days previous to the annual meeting of said society, and shall have received a certificate of membership, signed by the minister or clerk of said society, such person shall, from the date of such certificate, with his or her polls and estates, be considered as a member of said society : *Provided however*, that every such person shall always be held to pay his or her pro-

Manner of
leaving.

Provide.

portion of all such parish charges in the society to which such person belonged, assessed and not paid previous to the leaving said society.

Justice to issue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Washington, upon application therefor, is hereby authorised to issue his warrant to some member of the said First Baptist Society, requiring him to notify and warn the members thereof to meet at such convenient time and place as shall be appointed in said warrant, to choose such officers as parishes are by law empowered and required to choose at their annual meetings.

[Approved by the Governor, February 10, 1814.]

CHAP. CIII.

An Act in further addition to the several acts for incorporating certain persons for the purpose of building a Bridge over Merrimack river, in the county of Essex, and for supporting the same.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That it shall be lawful for the proprietors of Essex Merrimack Bridge, and they are hereby empowered to make the leaves of the draw of said bridge not less than eighteen feet long, instead of thirty feet as heretofore provided.

Empowered to alter leaves.

SEC. 2. *Be it further enacted*, That the toll of each waggon, cart, or other carriage of burthen, drawn by four beasts, passing said bridge, shall be twenty-five cents, any thing in the act or acts to which this is in addition to the contrary notwithstanding: *Provided however*, that all carts, waggons, or other carriages of burthen, employed in transporting country produce going to or from the market, shall pay no more toll than they are now liable by law to pay.

Rates of toll.

Proviso.

[Approved by the Governor, February 10, 1814.]

CHAP. CIV.

An Act to incorporate The Religious Charitable Society
in the county of Worcester.

WHEREAS Samuel Austin and others have been associated, under the name of The Religious Charitable Society in the county of Worcester, for the purpose of aiding indigent young men of piety and talents to procure an education for the gospel ministry, of contributing to the funds of the American Board of Commissioners for Foreign Missions, and of assisting feeble churches and societies to maintain among them the preaching and institutions of the gospel: Therefore,

Preamble.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the Rev. Samuel Austin, D. D. of Worcester, the Rev. John Crane, D. D. of Northbridge, Col. Andrew Peters of Westborough, Nahum Fay, Esq. of Northborough, the Rev. Edmund Mills of Sutton, Rev. Joseph Goff of Milbury, Rev. David Holman of Douglas, the Rev. Samuel Judson of Uxbridge, Aaron Peirce, Esq. of Milbury, and James Easterbrooks, Esq. of Holden, and their associates, be, and they hereby are incorporated and made a body politic, by the name of The Religious Charitable Society in the county of Worcester, for the purposes stated in the preamble of this act; and by that name the said corporation may sue and be sued, plead and be impleaded, and may appear, defend, and prosecute to final judgment and execution; and in their said corporate capacity, they and their successors forever may take, purchase, receive, have and hold, in fee simple or otherwise, lands, tenements, and hereditaments, by gift, grant, devise, or otherwise, not exceeding the yearly value of four thousand dollars; and may also take and hold by donation, bequest, or otherwise, personal estate to an amount, the annual income of which shall not exceed six thousand dollars: *Provided* the income of said Corporation shall be faithfully appropriated to the purposes aforesaid. And said corporation may have a common seal, which they may alter or renew at pleasure; and may sell, exchange, or

Persons incorporated.

Powers.

Proviso.

lease their lands, tenements, or other property, for the benefit of their funds.

Empowered
to elect offi-
cers.

SEC. 2. *Be it further enacted*, That said corporation may annually choose, from among themselves, by ballot, a President, Vice President, Secretary, Treasurer, Auditor, a Board of Directors, and such other officers, as experience may prove to be useful. The Board of Directors shall consist of nine members, to which board the President, Vice President, Secretary and Treasurer shall belong, by virtue of their office, and any five of said board shall constitute a quorum for doing business. The said treasurer shall give bond, with sufficient sureties, to be approved by said board, for the faithful discharge of the duties of his office.

Meetings of
corporation.

SEC. 3. *Be it further enacted*, That there shall be an annual meeting of said corporation, at which the officers shall be chosen, the accounts of the treasurer exhibited, and such other business transacted, as may properly come before said meeting. The first annual meeting shall be on the third Wednesday of September next, at such place as the said Samuel Austin, John Crane, and Andrew Peters, or any two of them, shall appoint, by causing a notification thereof to be published in the Massachusetts Spy, printed at Worcester, at least ten days before said meeting.

By-laws,
Rules, &c.

SEC. 4. *Be it further enacted*, That said Corporation shall have power to make such by-laws and regulations, for calling meetings of the corporation and of the Board of Directors, appointing the duties of officers, fixing the terms of the admission of members, and transacting the business of said corporation generally: *Provided*, That said by-laws shall not be repugnant to the laws and constitution of this Commonwealth.

Contracts
and deeds.

SEC. 5. *Be it further enacted*, That all contracts and deeds, which the said corporation may lawfully make and execute, signed by the President, countersigned by the Secretary, and sealed with the common seal of said corporation, shall be valid in law to all intents and purposes.

Legislature
may inspect
doings.

SEC. 6. *Be it further enacted*, That the Legislature of this Commonwealth shall, at any time, have the right to inspect the doings and funds of said corporation, and may, at their pleasure, alter or annul any or all of the powers herein granted.

[Approved by the Governor, February 10, 1814.]

CHAP. CV.

An Act in addition to an act, entitled "An act for incorporating the North Precinct of the town of Braintree, in the county of Suffolk, into a separate town, by the name of Quincy, and for annexing sundry inhabitants of the town of Dorchester, with their estates, to the said town of Quincy."

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Benjamin Wadsworth Glover, with his estate, lying on the southerly side of Neponset river, and within the limits of that part of the town of Dorchester called Squantum, and the Farms, be, and he is set off from the town of Dorchester and annexed to the town of Quincy.

Persons set
off from the
town of Dor-
chester.

SEC. 7. *Be it further enacted*, That all that tract of land, lying on the southerly side of Neponset river, and within the old line of the town of Dorchester, known by the name of Horse Hommock, containing about eight acres, and bounded northerly and westerly on land or marsh lately of Ebenezer Glover, deceased; southerly and easterly, partly on land late of Josiah Glover, deceased, and partly on land of Moses and Oliver Billings, and of Capt. Oliver Billings, together with all the inhabitants residing thereon, be, and they are hereby set off from the said town of Dorchester and annexed to the town of Quincy, and shall forever hereafter be considered as belonging to the said town of Quincy.

SEC. 3. *Be it further enacted*, That a tract of land called Bayfield, containing about seventeen acres, bounded westerly on the road leading to Squantum, northerly on land of Benjamin Wadsworth Glover, easterly on the sea, and southerly on land of John Billings: also a tract of land called the further pasture, containing about fourteen acres, bounded southerly on land of Ezra Glover, westerly on land of Caleb Faxon, northerly and easterly on land of Oliver Billings; also a tract of land containing about two acres, bounded westerly on a road leading to Billings' rocks, northerly, easterly and southerly on land of John Billings, lying on the southerly side of Neponset

Included in
town of Dor-
chester.

river, and within the limits of that part of the town of Dorchester, called Squantum and the Farms, being that part of the estate of Thomas Glover, late of Dorchester, deceased, which was purchased by, and is now in the possession of Moses Billings and Oliver Billings, Jun. be, and the same are hereby considered as still annexed to the said town of Dorchester.

[Approved by the Governor, February 10, 1814.]

CHAP. CVI.

An Act to alter the south line of Hallowell, in the county of Kennebeck.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the south line of that part of the town of Hallowell, in the county of Kennebeck, which is situated on the west side of Kennebeck river, shall be established, fixed and known as follows, to wit: beginning at Kennebeck river, on the west side thereof, at a place where the old Bowman line, so called, which runs through great lot number twenty, strikes the said river; and thence running west northwest on said Bowman line, five miles; and thence from the termination of said five miles, northerly on the rear end of said lot numbered twenty, to the present south line of Hallowell.

[Approved by the Governor, February 10, 1814.]

CHAP. CVII.

An Act to incorporate The Lynn Wire Manufacturing Company.

SEC. 1. BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That David Pratt, Ephraim Weston, John Hart, Jonathan Temple, Phineas Coburn,

Boundary
line estab-
lished.

Persons in-
corporated.

Ephraim Weston, Jun. and such persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Lynn Wire Manufacturing Company, for the purpose of manufacturing wire and wire work, wood screws and cards, and also cotton and woollen cloth and yarn, in all their respective kinds and branches, in the town of Lynn, in the county of Essex ; and for these purposes shall have all the powers and privileges, and shall be subject to all the duties and requirements contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred an nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may take and hold real estate, not exceeding the value of thirty thousand dollars, and personal estate, not exceeding the value of sixty thousand dollars, for the purpose of establishing and carrying on the manufactures aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 10, 1814.]

CHAP. CVIII.

An Act to incorporate The Lincoln Cotton and Woollen Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That John Gleason, Joseph Sprague, Joshua Adams, Hezekiah Prince, Micajah Gleason, George Coombs, John Paine, and Aaron Gleason, together with such others as have or may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation by the name of The Lincoln Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Thomaston, in the county of Lincoln ; and for the purpose aforesaid shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine,

Persons incorporated.

entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 10, 1814.]

CHAP. CIX.

An Act to establish The Adams North Village Cotton Factory.

SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That George Whitman, Douglas W. Sloane, Daniel Noble, James Cumming, Anthony Edwards, Josiah Quincy Robinson, Jeremiah Colegroo, Moses Wolcott, Benjamin Lapham, George Lapham, Giles Tinker, Edward Richmond, Richard Knight, Luther Bartlett, Daniel Reed and Marshal Jones, and such as already have, or may hereafter associate with them, their successors and assigns, be, and hereby are made a corporation by the name of The Adams North Village Cotton Factory, for the purpose of manufacturing cotton yarn and cloth, in the town of Adams, in the county of Berkshire; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of sixty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 10, 1814.]

CHAP. CX.

An Act to establish The Matfield Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Jacob Dyer, Daniel Perry, Persons in- Jonathan Stetson, Oaks Tirrell, Isaac Tirrell, Jun. corporated. William Vinton, Abisha Stetson, Benjamin Bates, David F. Reynolds, Eleazer Keith, and Allen Whitman, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Matfield Manufacturing Company, for the purpose of manufacturing cotton and woollen goods in Bridgewater, in the county of Plymouth; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted,* That the said Corporation may lawfully be seized of such real estate, not exceeding fifty thousand dollars, and such personal estate, May hold real and personal estate. not exceeding one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the said manufactory.

[Approved by the Governor, February 10, 1814.]

CHAP. CXI.

An Act to incorporate The Pembroke Cotton and Woollen Manufactory.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Bailey Hall, Isaac Hatch, Persons in- William Loring, Jun. Samuel P. Barker, with such per- corporated.

sons as already have, or hereafter may associate with them, their successors and assigns, shall be, and hereby are made a corporation by the name of The Pembroke Cotton and Wool Manufactory, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Pembroke, with the business necessarily connected therewith ; and for such purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

May hold real and personal estate.
 SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of real estate, not exceeding thirty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary for the purposes aforesaid.

[Approved by the Governor, February 10, 1814.]

CHAP. CXII.

An Act to authorise the sale of certain lands belonging to the German Protestant Society in Waldoborough.

Authorised to sell lands.
 SEC. 1. **B**E *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the German Protestant Society in Waldoborough, in the county of Lincoln, be, and they hereby are authorised to sell and convey, by such committee as they may appoint for that purpose, all the land situate in said Waldoborough, now belonging to said society, which was granted by the original proprietors of said town for the use of said society for the support of the gospel ; and the sale, and conveyance of said land, which shall be made pursuant to a vote of said society, by such committee, shall be valid and effectual to all intents and purposes.

Interest, how applied.
 SEC. 2. *Be it further enacted*, That the proceeds of the sale, which shall be made as aforesaid, shall be appropriated to the purpose of finishing and completing the meeting-house lately erected by the said society, and the surplus, if any there be, shall be put out at interest, on

good and sufficient security, and preserved as a permanent fund for the use of said society; the income whereof shall be applied hereafter, as may be necessary for the repairs of said house, or rebuilding a meeting-house for said society, and for no other purpose whatever.

[Approved by the Governor, February 12, 1814.]

CHAP. CXIII.

An Act to enlarge the power of the President and Fellows of Harvard College, of holding real estate.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the President and Fellows of Harvard College, and their successors in said offices, be, and they hereby are authorised to purchase, accept, take and hold lands, tenements, and hereditaments, within this Commonwealth, to the clear yearly value of twelve thousand dollars, in addition to what they now are by law authorised to hold, and in addition to the public buildings of the said University occupied by the students, and for other public purposes.

May hold real estate.

[Approved by the Governor, February 12, 1814.]

CHAP. CXIV.

An Act to incorporate the South Parish in the town of Berwick into a separate town, by the name of South Berwick.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all the lands comprised within the limits of the South Parish in the town of Berwick, in the county of York, as the same is now bounded, with all the inhabitants dwelling thereon, be, and they hereby are incorporated into a town, by the name of South Berwick; and vested with all the powers, privileges, and immuni-

Town incorporated.

ties, and subject to all the duties and requirements of other incorporated towns, agreeably to the constitution and laws of this Commonwealth.

Holden to
pay arrears
of taxes.

SEC. 2. *Be it further enacted*, That the inhabitants of the town of South Berwick shall be holden to pay all the arrears of taxes, which have been assessed upon them by the town of Berwick ; and shall also support and maintain all such persons as heretofore have been, now are, or hereafter may be inhabitants of that part of Berwick hereby incorporated, and are or may become chargeable, according to the laws of this Commonwealth, and who have not obtained a settlement elsewhere therein.

Entitled to
proportion of
real and per-
sonal prop-
erty.

SEC. 3. *Be it further enacted*, That the inhabitants of said town of South Berwick shall be entitled to receive and hold such proportion of all debts now due, and assessments already voted to the said town of Berwick, and also such proportion of all the real and personal property of the town of Berwick, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of South Berwick bears to the property of all the inhabitants of the said town of Berwick, according to the last valuation thereof; and they shall also be holden to pay their proportion, to be ascertained as aforesaid, of all the debts now due and owing from the said town of Berwick.

Dividing line

SEC. 4. *Be it further enacted*, That in case the dividing line between the said town of South Berwick and the said town of Berwick should happen to divide the farms of any of the inhabitants of either of said towns, the said inhabitants shall be taxed for the whole of their home farm in that town only, where they may respectively dwell.

Justice to is-
sue warrant.

SEC. 5. *Be it further enacted*, That any Justice of the Peace for the county of York. upon application therefor, is hereby authorised to issue his warrant, directed to any freeholder in said town of South Berwick, requiring him to notify and warn the inhabitants thereof to meet at such time and place, as may be appointed in said warrant, for the choice of all such town officers, as towns are by law required to choose at their annual town meetings.

[Approved by the Governor, February 12, 1814.]

CHAP. CXV.

An Act in addition to an act, entitled “An act to prevent the destruction, and to regulate the catching of the fish called Alewives, in their passage up the rivers and streams in the town of Harwich, in the county of Barnstable,” passed the fourth day of July, 1787; and also of another act, in addition thereto, passed the sixteenth day of June, 1813.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act, passed the fourth day of July, seventeen hundred and eighty-seven, entitled “An act to prevent the destruction of the fish called Alewives, in their passage up the rivers and streams in the town of Harwich, in the county of Barnstable,” and also of another act, in addition thereto, passed the sixteenth day of June, eighteen hundred and thirteen, be, and both the said acts are extended to operate, and shall have effect over all the streams in the town of Brewster; and all the regulations, provisions, privileges, limitations, and restrictions, contained in the said act to which this is in addition, so far as they may be applicable to the intents and purposes of this act, shall be used and exercised, and the benefits thereof enjoyed, by the inhabitants of the said town of Brewster, as fully and completely, as if the said town of Brewster had not been separated from the said town of Harwich; and this act shall be deemed and taken to be supplementary to the said act before mentioned.

Act extended to other town.

[Approved by the Governor, February 12, 1814.]

CHAP. CXVI.

An Act, appointing the places for holding the Courts of Probate, in the county of Hampden.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of

Times and
places of hold-
ing court.

this act, the Court of Probate for the county of Hampden shall be held in the following towns, to wit: in Springfield, six times in each year; in Westfield, three times in each year; in Blandford, twice in each year; and in Monson, twice in each year, at such times and places in said towns, as the Judge of Probate for said county shall, from time to come, appoint; any law, usage, or custom to the contrary notwithstanding.

[Approved by the Governor, February 12, 1814.]

CHAP. CXVII.

An Act to incorporate The Linum Spinner Company.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Sylvanus Baldwin, Elisha Town, Charles Bulkeley, Isaac P. Davis, Samuel Spear, Nathaniel Perry, and Ethan A. Greenwood, proprietors of the new improvement for spinning flax and hemp, and other articles, to which it may be adapted, called the Linum Spinner, invented by said Baldwin and Town, and secured to them, their heirs, executors, administrators, and assigns, by letters patent, together with such other persons who have already, or may hereafter associate with them, their successors and assigns, shall be, and hereby are created a corporation, by the name of The Linum Spinner Company, for the purpose of spinning and manufacturing flax, hemp, and other articles, to which it may be adapted; and for manufacturing and vending the machinery of said improvements; and for selling to others the right to make, use, and vend said machines, with the privileges of said patent, and any other patent which may be obtained for any further improvements that are, or may be made in said Linum Spinner, and the machinery connected therewith: and by that name, and for these purposes, shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Courts of record, or any other place whatsoever; and shall have all the powers and privileges, and be subject to all the duties and requirements of an act, entitled "An act*

defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine.

SEC. 2. *Be it further enacted*, That said corporation, for the purposes aforesaid, may lawfully hold and possess real estate, at any place or places within this Commonwealth, not exceeding three, to the value of fifty thousand dollars, and personal estate, to the amount of one hundred and fifty thousand dollars. May hold real and personal estate.

SEC. 3. *Be it further enacted*, That Ethan A. Greenwood, herein before mentioned, is hereby authorised to call the first meeting of said corporation, at such time and place, within the town of Boston, as he may deem most convenient, by giving each proprietor personal notice thereof in writing. May call a meeting.

[Approved by the Governor, February 12, 1814.]

CHAP. CXVIII.

An Act to incorporate the President, Directors, and Company of the Waterville Bank.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Asa Redington, Thomas Rice, Jeremiah Fairfield, Nathaniel Gilman, James Stackpole, Jun. James Hasty, Judah Mc. Lellan, and Bryce Mc. Lellan, and their associates, successors, and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Waterville Bank, and shall so continue until the first day of October, which will be in the year of our Lord eighteen hundred and thirty-one : and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or in any other place whatever ; and also to make, have, and use a common seal ; and to ordain, establish, and put in execution such by-laws, ordinances, and regulations, as to them may appear necessary and convenient, for the government of the said corporation, and the prudent management of their affairs : *Provided* such by-laws, Persons incorporated.

Time incorporated for:

Proviso.

ordinances, and regulations shall, in no wise, be contrary to the constitution and laws of this Commonwealth ; and the said corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

SEC. 2. *Be it further enacted,* That the capital stock of the said corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at four equal instalments : the first, on the first day of September next ; the second, on the first day of December next ; the third, on the first day of March, which will be in the year of our Lord eighteen hundred and fifteen ; and the fourth, on the first day of June next after, and as much sooner as the stockholders shall direct. And the stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered in the books of said corporation, shall be binding on the stockholders, their successors, and assigns. And the said corporation are hereby made capable in law to have, hold, purchase, receive, possess, and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of ten thousand dollars, and no more at any one time ; with power to bargain, sell, and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable : *Provided however,* that nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on execution, to any amount, as security for, or in payment of any debts due to the said corporation : *And provided further,* That no money shall be loaned, or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted,* That the rules, reservations, restrictions, limitations, and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established : *Provided only,* That the bond required to be given by the Cashier, shall be in the penalty of

Amount of
capital stock
and of each
share.

Proviso.

Proviso.

ten thousand dollars; and that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for transaction of business: *And provided also*, That the amount of bills, at any one time issued by said bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Debts not to
exceed fifty
per cent.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Waterville.

SEC. 5. *Be it further enacted*, That any committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults; and if upon such an examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the power herein granted them, or failed to comply with any of the rules, restrictions, and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislative
committee
may examine
books, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place as they may see fit, (by advertising the same for three weeks successively in the Herald of Liberty, printed at Augusta,) for the purpose of making, ordaining, and establishing such by-laws, ordinances, and regulations, for the orderly conducting of the affairs of the said corporation, as the said stockholders shall deem necessary; and for the choice of the first Board of Directors, and such other officers as they shall see fit to choose.

May call a
meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of the debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, and silver, and copper coin, and the bills of other banks on hand: which statement shall be signed by the Directors and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall trans-
mit statement
of accounts.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank, counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay
counterfeit-
ed notes.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first day of September next, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in : *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth : *And provided further*, That nothing herein shall be construed to impair the right of the Legislature to lay a tax upon any bank, already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Shall pay tax
to the Treas-
urer.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the funds of said bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law prescribed in other cases.

Amount to
be appropri-
ated to loans

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money, not exceeding ten per centum of the amount of the capital stock actually paid in at any one time—reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum : *Provided however*, That the Commonwealth shall never, at any one time, stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to
the Common-
wealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding thirty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations, and provisions, as shall be by the Legislature made and established, as to the management thereof.

Commonwealth may subscribe.

[Approved by the Governor, February 12, 1814.]

CHAP. CXIX.

An Act to incorporate the town of Stroudwater.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all that part of the town of Falmouth, in the county of Cumberland, which lies south westerly of the following described line, viz. beginning at a small white oak tree standing on a point of land in the field of Crispus Graves, and on the bank of Presumpscott river, and on a course northwest from a tree standing at high water mark, on the most westerly end of Machay's island; thence from said white oak tree, northwest five hundred and sixty rods and nineteen links, to a stake standing three rods and four links in front of Charles Frost's dwelling-house; thence continuing the same course nine hundred and nineteen rods, to a stake standing on the bank of the outlet of the Duck pond; thence continuing the same course to the dividing line between said Falmouth and the town of Windham, with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Stroudwater, and vested with all the powers, privileges and immunities, with which other towns are by the constitution and laws of this Commonwealth.

Boundaries.

Town incorporated.

SEC. 2. *Be it further enacted*, That all the poor, who now are, or may hereafter be supported by the town of Falmouth, for which the town of Portland by its act of incorporation is or may be chargeable in part, shall still continue to be supported by the town of Falmouth; and the town of Stroudwater, shall be chargeable to Falmouth

Support of poor.

for its proportion of the expense in proportion to its present valuation; and all other poor of the town of Falmouth, who are now supported by said town of Falmouth, either in whole or in part, shall, after a division of said town, be divided and supported by the two towns, in proportion to their present valuation; and that all persons, who are now absent from said town of Falmouth, and shall hereafter become chargeable as paupers, shall be returned to, and maintained by that town in which they obtained their inhabitancy before their removal.

Dividing line

SEC. 3. *Be it further enacted*, That any person or persons, living in either of the towns of Falmouth or Stroudwater, whose farms lie upon both sides of the dividing line aforesaid, may have liberty at any time within one year from the passing of this act, to unite themselves to either of the towns aforesaid, and upon such person or persons, leaving their names within the time aforesaid, with the clerks of both of said towns, to be there recorded, certifying that such was their intention, shall thereafter be considered an inhabitant of that town where he or they so unites himself.

Taxes.

SEC. 4. *Be it further enacted*, That the several collectors of the town of Falmouth, are hereby authorised and empowered to collect and pay all the taxes to them already committed, agreeable to their several warrants, any thing in this act to the contrary notwithstanding.

Treasurer's
duty.

SEC. 5. *Be it further enacted*, That the treasurer of the town of Falmouth, shall make a fair adjustment and settlement of his accounts, as they stood at the passing of this act, and if a balance shall be found in his hands, the town of Stroudwater shall receive their just and due proportion thereof; and if upon such settlement, the town of Falmouth shall be found in debt, the inhabitants of the town of Stroudwater shall be holden to pay their just proportion thereof, according to the present State valuation.

Taxes here-
tofore asses-
sed.

SEC. 6. *Be it further enacted*, That the town of Stroudwater shall be entitled to receive its just proportion of all the public property which belonged to the town of Falmouth before the passing of this act, (according to the present State valuation) and shall be holden to pay its just proportion of all the taxes heretofore assessed upon the town of Falmouth; and the assessors of said towns of Falmouth and Stroudwater, respectively are hereby empowered to assess all taxes, which were due from said

town of Falmouth, before the passing of this act to the county of Cumberland, or to this Commonwealth, agreeable to the proportion aforesaid ; and the towns aforesaid shall be charged in all future taxes in the same proportion which they stand in the present State valuation.

SEC. 7. *Be it further enacted*, That any Justice of the Peace for the county of Cumberland, is hereby authorised to issue his warrant to some principal inhabitant of said town of Stroudwater, requiring him to notify and warn the inhabitants of said town, who are qualified by law to vote in town affairs, to meet at the time and place expressed in said warrant, for the purpose of choosing all such town officers, as by law may be chosen in the months of March or April annually.

Justice to issue warrant.

[Approved by the Governor, February 14, 1814.]

CHAP. CXX.

An Act to fix the times and places for holding the Courts of Probate in the county of Oxford, and for other purposes.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Courts of Probate, within and for the county of Oxford, shall hereafter be holden at the several times and places hereafter mentioned, viz. : at Fryburgh on the last Wednesday of every month in the year ; at Waterford and Paris in the months of February, June and November, annually ; and at Bethel, Dixfield and Livermore, in the month of June annually, on such days, and such places in said towns as the convenience of the people shall require : and it shall be the duty of the Judge of Probate, for the time being, of the said county, to give public notice of the particular days of said months, and the places in said towns, when and where he will hold the Courts aforesaid.

Times and places for holding court.

SEC. 2. *Be it further enacted*, That whenever the Judge of Probate for the time being of said county, shall be prevented by sickness or other inevitable casualty, from holding any of said Courts, at the several times by this

act provided, he is hereby authorised to appoint such other times for holding said Court, as shall be most for the interest of all concerned, by giving public notice thereof, and to adjourn said Court from time to time, and to continue any process or proceeding therein, to such time and place, as the said Judge may consider necessary or expedient.

[Approved by the Governor, February 14, 1814.]

CHAP. CXXI.

An Act in addition to an act, entitled “An act to incorporate the President, Directors and Company of the Marblehead Bank.”

WHEREAS by the act to incorporate the President, Directors and Company of the Marblehead Bank, passed June twenty-third, in the year of our Lord eighteen hundred and twelve, it is enacted and provided that the capital stock of said Bank shall consist of one hundred and twenty thousand dollars, being an addition of twenty thousand dollars to the capital of said Bank, granted to the same stockholders according to their former incorporation ; and such addition is found to be unnecessary and inconvenient : Therefore,

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the capital stock of the bank last incorporated by the name of the President, Directors and Company of the Marblehead Bank, may consist of the sum of one hundred thousand dollars, and no more, any thing in the said act of incorporation notwithstanding : and the reduction so permitted of their present capital stock, shall and may be effected in such manner as shall be voted and agreed upon at a meeting of the said corporation, which shall be legally notified and holden for that purpose : *Provided,* that no stockholder shall be compelled to reduce any part of his subscription or shares in the said bank, but the reduction of the said stock shall be by the voluntary act of any corporation or individual, now holding shares in the said bank, who may consent to with-

Preamble.

Capital Stock

Proviso.

draw the amount of their subscription or subscriptions, or any part thereof by them respectively made and deposited in the said bank.

And whereas by the said act of incorporation it is further enacted and provided, that the said bank may take, receive and hold by assignment, all such mortgages as were then holden by the then existing bank in the said town of Marblehead, and which might be assigned and taken by agreement, between the two corporations, and the effect of such agreement, as a transfer of real estate may be considered doubtful—Therefore,

SEC. 2. *Be it further enacted*, That the mortgages of real estate holden by the said bank under the said former incorporation, and which by the consent of the stockholders therein have been delivered over and made payable by their votes or other agreements to the said existing Corporations, shall be considered as vested in them to all intents and purposes, as if the said former incorporation had been renewed and continued by an extension of the term of years for which the same was originally granted. Mortgages of real estate

SEC. 3. *Be it further enacted*, That the Messuage now and heretofore owned and occupied by the said former incorporation and by the said President, Directors and Company of the Marblehead Bank since their last incorporation, be, and the same is hereby vested in them to all intents and purposes, by virtue of their said incorporation, and pursuant to the votes and consent of the said former incorporation to that purpose. Messuage:

[Approved by the Governor, February 14, 1814.]

CHAP. CXXII.

An Act to repeal an act, entitled “An act to prevent damage to the bridges and mill dams, erected across Miller’s river, and for the preservation of pine timber in that neighbourhood,” passed on the fourteenth day of June, in the year of our Lord one thousand eight hundred and thirteen.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act entitled “An act to Act repealed

prevent damage to the bridges and mill dams, erected across Miller's river, and for the preservation of pine timber in that neighbourhood," be, and the same hereby is repealed.

[Approved by the Governor, February 16, 1814.]

CHAP. CXXIII.

An Act to incorporate The Mansfield Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Laban Wheaton, Daniel Wheaton, David Gilbert, Roland Green, Samuel Druce, Solomon Pratt, Asa Day, and Abisha Fisher, with such others as have associated, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Mansfield Cotton Manufacturing Company, for the purpose of manufacturing cotton, at Mansfield, in the county of Bristol; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord eighteen hundred and nine.

Persons in-
corporated

May hold re-
al and per-
sonal estate.

SEC. 2. *Be it further enacted,* That the said company may be lawfully seized and possessed of such real estate, not exceeding the value of forty thousand dollars, and such personal estate, not exceeding the value of sixty thousand dollars, as may be necessary and convenient for carrying on the same manufacture as aforesaid.

[Approved by the Governor, February 16, 1814.]

CHAP. CXXIV.

An Act establishing The Bellingham Woollen and Cotton Manufactory.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Samuel Penniman, Samuel L. Scammell, Luther Warfield, Abel Albee, Eli Warren, Seth Hastings, Benjamin Davenport, Amasa Holbrook, Simeon Holbrook, Tyler Daniels, and Amos Hill, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation by the name of The Bellingham Woollen and Cotton Manufactory, for the purpose of manufacturing woollen and cotton yarn and cloth, within the town of Bellingham; and for such purposes, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said corporation may be lawfully seized and possessed of such real estate, not exceeding fifty thousand dollars, and such personal estate, not exceeding one hundred and fifty thousand dollars, as may be necessary for the purposes aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 16, 1814.]

CHAP. CXXV.

An Act in addition to an act, entitled "An act in addition to an act, entitled an act to incorporate The Trustees of Phillips' Academy in Andover."

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Trustees of Phillips' Academy be, and they are hereby empowered to receive, purchase and hold, by gift, grant, devise, or otherwise, for

Empowered to hold personal estate.

Proviso.

the further endowment of a theological institution, or department, and in furtherance of the design of the pious founders and benefactors of said Academy, personal estate, the annual income whereof shall not exceed twenty thousand dollars, in addition to what they are now allowed by law to hold : *Provided*, the income of said estate to be always applied to the objects agreeably to the will of the donors : *Provided also*, that this act shall not entitle said trustees to recover or receive any bequests or donations heretofore made, unless they were authorised to receive and hold the same before the passing of this act :

Proviso.

Provided, that no student belonging to the said institution, sustaining a fair moral character, shall be deprived of any privileges of said institution, or be subjected to the forfeiture of any aid, which has been granted by said institution, for the purpose of enabling him to prosecute his studies, or be denied the usual testimonial on closing his studies, on the ground that his interpretations of the scriptures differ from those which are contained, or may hereafter be contained in the articles of faith adopted by said institution.

[Approved by the Governor, February 16, 1814.]

CHAP. CXXVI.

An Act to incorporate The Plympton Wool Manufacturing Company.

Persons incorporated.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That William Sturtevant, Zabdiel Sampson, Benjamin Ellis, Joseph Cooper, John Sampson, Alvan Sampson, Nathaniel Ripley, and William P. Ripley, with such other persons as have already associated, or hereafter may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Plympton Wool Manufacturing Company, for the purpose of manufacturing woollen cloths, in the town of Plympton : and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, made and passed on

the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That the said corporation may be lawfully seized and possessed of such real estate, as may be necessary and convenient for establishing and carrying on the said manufactory; and also of as large a personal estate, as shall be actually employed therein: *Provided* such real estate shall not exceed the value of thirty thousand dollars, and the personal estate one hundred thousand dollars.

May hold real and personal estate.

Proviso.

[Approved by the Governor, February 17, 1814.]

CHAP. CXXVII.

An Act to incorporate The Walomopogge Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Lewis Whiting, Hervey Whiting, Amos Cobb, and William Dupree, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Walomopogge Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Wrentham, in the county of Norfolk: and for the purposes aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, one thousand eight hundred and nine."

Persons incorporated.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 17, 1814.]

CHAP. CXXVIII.

An Act to incorporate The Swanzey Union Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That William Mason, John Mason, William Bowers, William Major, John Winslow, William Slade, Stephen Slade, Richard Chase, Caleb Easterbrooks, Artemas Stebens, Benanuel Marvel, Anthony Kingsley, Anthony Gardner, Rufus C. Smith, Robert Gibbs, Jun. Obadiah Peirce, James L. Hodges, Caleb Millar, and Darius Chase, together with such other persons as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Swanzey Union Manufacturing Company, for the purpose of manufacturing cotton yarns and cloth at Swanzey, in the county of Bristol: and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing corporations."

Persons in-
corporated.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding the value of fifty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton aforesaid.

[Approved by the Governor, February 17, 1814.]

CHAP. CXXIX.

An Act to set off the northeastwardly part of Hadley, and annex the same to Amherst.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all the lands, and the inhabit-

ants thereon, lying and being in Hadley, described within the following limits and bounds, not already annexed to Amherst, be, and the same are hereby set off from Hadley, and annexed to Amherst: that is to say, beginning at the southwest corner of David Smith's land, being the northwest corner of Noah Smith's land, lying in the town of Amherst, on the east line of Hadley; thence running west, to the west end of the first division of lands in Hadley, to a town-way; thence northwardly, on the west line of said division, as far as the same extends; and thence, on the same course, to the south line of Sunderland; thence east, on the south line of Sunderland, to the original northeast corner of Amherst; thence southwardly, on the original line between Amherst and Hadley, to the first mentioned corner.

Lands set off from town of Hadley.

Boundaries described.

SEC. 2. *Be it further enacted*, That the respective valuations of the towns of Hadley and Amherst be so altered, in consideration of the above, that the sum of one cent, in the proportion of one thousand dollars, be taken from Hadley and put to Amherst; and that all taxes already granted or assessed by the town of Hadley, on the polls and estates hereby set off, be collected in the same manner as though this act had not been passed.

Valuation altered.

[Approved by the Governor, February 17, 1814.]

CHAP. CXXX.

An Act to dissolve the Third Congregational Society in Portland, and to annex the members thereof to the Chapel Congregational Society in said town.

WHEREAS the Third Congregational Society and the Chapel Congregational Society, in Portland, have joined in a request to this Legislature that said Third Congregational Society may be dissolved, and certain members thereof annexed and united to said Chapel Congregational Society, on the terms and conditions mentioned in the following act: and whereas the said Chapel Congregational Society have purchased the pews of all the members of said Third Congregational Society, who are not desirous of being united to said Chapel Society, and have agreed

Preamble.

to assume and pay all the debts of said Third Congregational Society, on the debts and property of said Third Congregational Society being transferred to them : and whereas the said societies have respectively petitioned this Legislature to sanction their agreement, by passing a law for that purpose : Therefore,

Persons annexed.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the following members of the Third Congregational Society in Portland, viz.: Daniel How, Thomas Bailey, James Barnes, William Evans, John W. Smith, Friend Loring, Moses Davis, Phineas Varnum, Daniel Gilbert, Levi Bradish, Isaac Prince, John Collins, Jun. Joseph Prince, John Deane, and Stephen Little, with their polls and estates, be, and they hereby are annexed to, and made members of the Chapel Congregational Society in said Portland.

Society dissolved.

SEC. 2. *Be it further enacted,* That from and after the passing of this act, the said Third Congregational Society in Portland shall be dissolved ; and their act of incorporation shall be, and hereby is so far repealed, that there shall no longer be any such society or corporation.

Former acts rendered valid.

SEC. 3. *Be it further enacted,* That all the acts and doings of the said Third Congregational Society and of the said Chapel Society, which have heretofore been done and transacted, shall be and hereby are confirmed and rendered valid, any informality in the records of the same to the contrary notwithstanding.

Records, Papers, &c.

SEC. 4. *Be it further enacted,* That the records, papers and documents of the said Third Congregational Society shall be delivered over to, and deposited with the clerk of the said Chapel Congregational Society, who is hereby authorised to receive the same, and to make authentic copies thereof, to avail to every intent and purpose, as if made by the Clerk of said Third Congregational Society, before the dissolution thereof.

Management of Property.

SEC. 5. *Be it further enacted,* That the property of said Third Congregational Society, whether real or personal, shall hereafter vest in, and be under the sole controul of said Chapel Congregational Society, their successors and assigns, forever.

SEC. 6. *Be it further enacted,* That all the legal claims and demands, heretofore outstanding and existing against

the said Third Congregational Society, shall hereafter be claimed and received of and from the said Chapel Congregational Society ; and the same remedy and process for the recovery thereof shall be had and used, to recover the same against the said Chapel Congregational Society, as might have been had and used against the said Third Congregational Society before the passing of this act.

SEC. 7. *Be it further enacted*, That the demands, taxes and other claims which the said Third Congregational Society might, but for the passing of this act, have had, prosecuted and recovered, shall hereafter, in the same manner, be had, prosecuted, and recovered by the said Chapel Congregational Society. Claims and demands.

SEC. 8. *Be it further enacted*, That the valuation of pews, heretofore made in the meeting-house of said Third Congregational Society, for the purpose of taxation, shall hereafter continue and govern the said Chapel Congregational Society in the assessment of their taxes, until a new valuation thereof shall be made by the said Chapel Congregational Society. Assessment of taxes.

SEC 9. *Be it further enacted*, That the collector or collectors of said Third Congregational Society be, and they hereby are empowered, and it shall be their duty, under the direction of the treasurer of the said Chapel Congregational Society, to collect the sums which remain due on the tax-bills in their hands, and to pay over the same to the treasurer of said Chapel Congregational Society ; and the treasurer of said Chapel Congregational Society shall have the same power to enforce the collection and payment of said taxes, as he would have, if said collector or collectors had been appointed by said Chapel Society ; and in case such collector or collectors of said Third Congregational Society shall refuse or neglect to collect the said taxes so due, on the bills in his or their hands, or shall die or resign before completing such collections, then the collector of the Chapel Congregational Society shall have a right to demand and recover said tax-bills, and complete the collection of said taxes, under the direction of the treasurer of said Chapel Congregational Society. Duty of the Collectors. Penalty for neglect.

[Approved by the Governor, February 17, 1814.]

CHAP. CXXXI.

An Act establishing the Salaries of the Attorney General and Solicitor General of this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That there shall be allowed and paid out of the treasury of this Commonwealth, annually, the sum of two thousand dollars to the Attorney General, and the like sum to the Solicitor General, in full compensation for their services in the criminal and civil business of this Commonwealth, to be paid in quarterly payments, as the same shall become due.

Adjutant and
Solicitor Ge-
neral's sala-
ries.

Held to ac-
count.

SEC. 2. *Be it further enacted,* That the said Attorney General and Solicitor General shall be held to account with the treasurer of this Commonwealth, annually, for all fees, bills of costs, and monies received by them, by virtue of their said offices, or for any business done by them for this Commonwealth.

SEC. 3. *Pe it further enacted,* That the first section of an act, passed the twentieth day of February, A. D. 1790, entitled "An act making compensation to the Attorney General of this Commonwealth for his services," and also the first section of an act, passed the seventeenth day of June, A. D. 1800, entitled "An act making compensation to the Solicitor General of this Commonwealth for his services," be, and the same hereby are repealed.

Acts repeal-
ed.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXII.

An Act to incorporate The Protestant Episcopal Society of Christ's Church, in Quincy.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the wardens and other proprietors of Christ's Church, in Quincy, whether residing in

said Quincy, or in towns adjacent, and their successors, together with their polls and estates, be, and are hereby incorporated into a society or body politic, under the name of The Protestant Episcopal Society of Christ's Church in Quincy; and that the building called Christ's Church, together with the yard thereof, and the house and land heretofore purchased by said society as a Glebe, and situated in Quincy aforesaid, are hereby vested in said corporation, together with the power of holding other real estate, to the annual value of five hundred dollars.

Society in-
corporated.

SEC. 2. *Be it further enacted*, That the said society are hereby empowered to assess and collect of the members belonging to the same, for the purpose of maintaining the worship of God, for repairing their church, and for the preservation of their glebe and estate, from time to time, such monies as may be necessary for those purposes; and they are hereby vested with all such powers, privileges, and immunities, as Congregational Societies do or may enjoy by the laws of this Commonwealth.

Taxes.

SEC. 3. *Be it further enacted*, That if any person may incline to join said society, by signifying such his desire, in writing, to the clerk of the town, to which he may belong, and by notifying thereof the clerk of said society, he, together with his polls and estate, shall be considered to belong to said Episcopal Society, in the same manner as if incorporated by name in this act. And whenever any person belonging to said society shall incline to withdraw therefrom, by signifying such his desire, in writing, to the clerk of said Episcopal Society, and by notifying thereof the clerk of the town in which he resides, he, with his polls and estate, shall be discharged from said Episcopal Society: *Provided however*, That in either case, such person shall be liable to pay his proportion of all assessments previously made upon the inhabitants of the town in which he resides, or upon the members of said Episcopal Society, as the case may be.

Method of
becoming a
member.

Manner of
leaving.

Proviso.

SEC. 4. *Be it further enacted*, That the members of said corporation may meet annually, on Easter Monday, and at any adjournment of that meeting, and shall appoint two or more church-wardens, a treasurer, and a clerk, and such other officers as they may think necessary for the management of their concerns, to continue until others shall be chosen in their place: and at such meetings may

Meetings of
corporation.

By-laws,
Rules, &c.

establish suitable by-laws, and determine in what manner their annual and other meetings may be notified, and convened; and the wardens so chosen may appoint special meetings for transacting the affairs of the church, in such manner as may be directed by the by-laws so to be made: And the first meeting of said Episcopal Society shall be on Easter Monday, the eleventh day of April next.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXIII.

An Act to incorporate The Northborough Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That George Slocum, Jun. Isaac Davis, Silas Gates, Phineas Davis, Asaph Rice, Benjamin Rice, Caleb Witherbee, Joseph Davis, Joseph Howe, and their associates, together with all those who have already, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Northborough Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Northborough, in the county of Worcester; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold re-
al and per-
sonal estate.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess real estate, not to exceed the value of one hundred thousand dollars, and personal estate, not exceeding two hundred thousand dollars, as may become necessary and convenient for establishing and carrying the manufactory aforesaid.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXIV.

An Act to incorporate The Manufacturers and Mechanics Bank.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That George Sullivan, John Bellows, William Appleton, Winslow Lewis, William Cochran, Thomas B. Wales, Seth Knowles, Ezra A. Bourne, their associates, and those who they may hereafter associate with them, their successors and assigns, shall be, and hereby are created a corporation, by the name of The Manufacturers and Mechanics Bank ; and shall so continue from the fifth day of April next, until the first Monday in October, which shall be in the year of our Lord one thousand eight hundred and thirty-one, and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any other place whatever ; and also to make, have and use a common seal, and the same to break again at pleasure, alter and renew, and also to ordain, establish and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of said corporation, and the prudent management of their affairs : *Provided* such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth ; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Persons in-
corporated.Time incor-
porated for.

Proviso.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of a sum not exceeding fifteen hundred thousand dollars, in gold and silver, besides such part as this Commonwealth shall subscribe, in manner herein after mentioned ; divided into shares of one hundred dollars each, which shall be paid in manner following, that is to say, one fourth part thereof on or before the fifteenth day of April next ; one other fourth part on or before the fifteenth day of July next, and the residue at such time within two years from the passing of this act, as the stockholders at any meeting called for that pur-

Amount of
capital stock
and of each
share.

pose shall direct. And the stockholders at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns, until they otherwise determine; and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of one hundred thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think advisable: *Provided however*, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage or on executions, to any amount, as security for or in payment of any debts due to the said corporation: *And provided further*, That no monies shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed, and actually paid in, and existing in gold and silver in their vaults, shall amount to three hundred and seventy-five thousand dollars, nor until the said capital stock actually in said vaults shall have been inspected and examined by three commissioners, to be appointed by the Governor for that purpose, whose duty it shall be, at the expense of said corporation, to examine and count the monies paid and actually existing in said vaults, and to ascertain by the oath of the directors of said bank, or some of them, that said capital hath been bona fide paid in by the stockholders of said bank, and towards payment of their respective shares, and not for any other purpose, and that it is intended therein to remain as part of said capital, and to return a certificate thereof to the Governor.

May hold real estate and amount.

Proviso.

Governor to appoint Commissioners and duty of.

Bank, where established.

SEC. 3. *Be it further enacted*, That the said bank shall be established and kept in the town of Boston; and this corporation shall always be subject to the rules, restrictions, limitations, taxes and provisions, and be entitled to the same rights, privileges and immunities, which are contained in an act, entitled "An act to incorporate the President, Directors and Company of the State Bank;" except in so far as the same are modified or altered by this act,

as fully and effectually as if the several sections of said act were herein specially recited and enacted.

SEC. 4. *Be it further enacted,* That one third part of the capital stock of said bank shall be reserved for the subscription of Mechanics and Manufacturers, and proof thereof shall be made to the commissioners to be appointed in pursuance of the second section of this act, who shall certify the same to the Governor.

Amount appropriated for Mechanics and Manufacturers.

SEC. 5. *Be it further enacted,* That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth, any sum of money which may be required, not exceeding ten per centum of the capital stock, then actually paid in at any one time; reimbursable by five annal instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: *Provided however,* That the Commonwealth shall never stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock then paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 6. *Be it further enacted,* That any committee especially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults, and if upon such an examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded their powers, or failed to comply with any of the rules, restrictions and conditions by law provided, their incorporation shall thereupon be declared forfeited and void.

Legislative committee may examine books, &c.

SEC. 7. *Be it further enacted,* That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place as they may see fit to appoint, by advertising the same in any two newspapers printed in the town of Boston, for the purpose of making, ordaining and establishing such by-laws and regulations for the orderly conducting the affairs of said corporation, as the stockholders shall deem necessary, and for the choice of the first Board of Directors, and such other officers as they may see fit to choose.

May call a meeting.

SEC. 8. *Be it further enacted,* That the Commonwealth

Common-
wealth may
subscribe.

shall have a right whenever the Legislature shall make provision therefor by law, to subscribe on account of the Commonwealth, a sum not exceeding five hundred thousand dollars, to be added to the capital stock of said corporation, subject to such rules, regulations and provisions as to the management thereof, as shall be by the Legislature made and established.

Shall pay
counterfeit-
ed notes.

SEC. 9. *Be it further enacted*, That the said corporation shall be liable to pay to any bona fide holder, the original amount of any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax
to the Treas-
urer.

SEC. 10. *Be it further enacted*, That the said corporation shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock, which shall at the time of said dividend have been actually paid in : *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks incorporated within this Commonwealth.

Proviso.

Legislature
may appoint
Directors.

SEC. 11. *Be it further enacted*, That whenever the Commonwealth shall subscribe to the capital stock of said corporation in manner herein before provided for, in addition to the Directors by law to be chosen by the stockholders, the Legislature shall have a right, from time to time, to appoint a number of Directors of said bank, in proportion as the sums paid from the treasury of the Commonwealth shall bear to the whole amount of stock actually paid into the said bank, if at any time hereafter they shall judge fit to exercise that right.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXV.

An Act to incorporate The Neponset Cotton Factory Company.

Persons in-
corporated.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Virgil Maxey, David Hoffman, Dennis A. Smith, Thomas Stanley, and John Stanley, and

others who have already associated, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation by the name of 'The Neponset Cotton Factory Company, for the purpose of manufacturing cotton goods at Walpole, in the county of Norfolk ; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled " An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That the said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture aforesaid, in the town of Walpole aforesaid.

May hold real and personal estate.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXVI.

An Act making further provisions concerning the Ministry Lands in the town of Livermore.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the agent and trustees of the Ministry lands in the town of Livermore, be, and they are hereby authorised and empowered to loan on interest, the monies arising from the sale of the Ministry lands, or any part thereof, on the personal security of the borrower, by bond with good and sufficient sureties in the penal sum of double the value at least of the monies loaned, any thing in the act made and passed the twenty-ninth day of February, eighteen hundred and eight, concerning the said Ministry lands, to the contrary notwithstanding.

Empowered to loan money.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXVII.

An Act to establish the Plymouth Woollen and Cotton Factory Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Barnabas Hedge, Jun. Joseph Bartlett, 3d. Zaccheus Bartlett, Samuel Torry, William Osborn, and Jesse Inglee, together with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Plymouth Woollen and Cotton Factory, for the purpose of manufacturing wool, cotton and linen yarn and cloth, in Plymouth; and shall have all the powers and privileges, and shall be subject to all the duties and requirements, prescribed in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, eighteen hundred and nine.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall and may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding one hundred and fifty thousand dollars, as may be necessary and convenient for carrying on said manufacture, in their various branches, as aforesaid.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXVIII.

An Act to incorporate The Pittsfield Woollen and Cotton Factory.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Lemuel Pomeroy, Joseph Merrick, Ebenezer Center, Samuel D. Colt, David Campbell, David Campbell, Jun. Thomas B. Strong, James Buel, and Arthur Scholfield, with such others as already

have, or hereafter may associate with them, their successors or assigns, be, and hereby are made a corporation by the name of The Pittsfield Woollen and Cotton Factory, for the purpose of manufacturing woollen and cotton in the town of Pittsfield ; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactory of woollen and cotton in the said town of Pittsfield.

May hold real and personal estate.

[Approved by the Governor, February 18, 1814.]

CHAP. CXXXIX.

An Act to provide for the safe keeping of Gunpowder, in the town of Charlestown.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, no person or persons, (not on military duty,) shall keep, have, or possess in any store, barn, house or other building, or in or upon any place or thing whatever within the town of Charlestown, except in a public powder house in said town, gunpowder in any quantity exceeding five pounds, in any way or manner otherwise than as by this act is permitted: *Provided nevertheless*, That nothing in this act shall be construed to operate as a prohibition to the transporting of gunpowder through the town of Charlestown aforesaid, or to or from the public magazines in said town, from or into any part of this Commonwealth.

Powder, where kept.

Proviso.

SEC. 2. *Be it further enacted*, That no merchant or private armed vessel, on board of which gunpowder shall be laden in quantity exceeding twenty-five pounds, shall lay within two hundred yards of any wharf within said town.

Duty of Fire-
Wards.

SEC. 3. *Be it further enacted*, That all gunpowder found within the said town of Charlestown, contrary to the provisions of this act, shall be forfeited and may be seized by one or more of the fire-wards of said town; and it shall be the duty of such fire-ward or fire-wards, within twenty days after such seizure, to file a libel in the Clerk's office of the Circuit Court of Common Pleas, for the Middle Circuit, in the county of Middlesex, stating the cause of such seizure, and praying for a decree of forfeiture; and the Judges of said Court shall have power to hear and determine the cause by a jury where there is a claimant; but without a jury, if upon proclamation made no claimant appear, and to decree the forfeiture and disposition of such property according to law, and may decree a sale and distribution of the proceeds, deducting charges; and if such libel be not supported, restitution of the property shall be decreed without cost; but if a claimant appear, and disputes the forfeiture, and said gunpowder shall be finally decreed forfeited, such claimant shall pay all costs of prosecution which may have legally arisen thereon.

Quantity al-
lowed to be
kept.

Proviso.

SEC. 4. *Be it further enacted*, That all such gunpowder so forfeited, shall be forfeited, one moiety thereof to the use of the Commonwealth, and the other moiety thereof to the use of the fire-wards of said town of Charlestown: *Provided always*, That it shall and may be lawful for any person or persons, to keep in his or their house, ware house, or shop, for sale, by retail, any quantity of gunpowder, not exceeding twenty-five pounds in the whole: *Provided*, the same be constantly kept in copper, brass or tin cannisters, closely covered with copper, brass, or tin, and not otherwise.

Penalty for
breach of act

SEC. 5. *Be it further enacted*, That if any gunpowder shall be found in the town of Charlestown aforesaid, contrary to the provisions of this act, the owner or owners of the same, or other person or persons in whose possession it shall be found, besides the forfeiture aforesaid, shall forfeit and pay forty cents for every pound of such gunpowder, one moiety thereof to the use of the poor of said town of Charlestown, and the other moiety to the use of him or them, who shall sue for the same; which forfeiture of forty cents may be recovered by action of the case, in any court proper to try the same.

SEC. 6. *Be it further enacted*, That it shall and may be lawful for any one or more of the firewards of said town of Charlestown, to enter any building or other place in said town of Charlestown, in the day time, to search for gunpowder which they may have reason to suppose to be concealed, or kept contrary to the provisions of this act, having first obtained a search warrant therefor according to law.

Firewards
may enter
buildings.

[Approved by the Governor, February 18, 1814.]

CHAP. CXL.

An Act authorising the sale of Ministerial Lands, in the Congregational Society in Buxton, and for other purposes.

WHEREAS the Congregational Society in Buxton, in the county of York, have petitioned this court to sell their parsonage or ministerial lands, for the purpose of raising a fund for the support of the ministry :

Preamble.

SEC. 1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Ebenezer Wentworth, Joseph Dunnell, Royal Brewster, Isaac Libby, James Emery, Jr. Thomas Bradbury, and Charles Coffin, be, and hereby are appointed trustees to sell the same, and to put out at interest the monies arising from such sale, in manner herein after mentioned, and for that purpose.

Trustees appointed.

SEC. 2. *Be it further enacted*, That the said trustees be, and they hereby are incorporated into a body politic, by the name of The Trustees of the Ministerial Fund in the Congregational Society in Buxton, in the county of York; and they and their successors shall be, and continue a body politic and corporate, by that name, forever; and they shall have a common seal, subject to be altered at their pleasure; and they may sue and be sued, in all actions, real, personal, and mixed; and prosecute and defend the same to final judgment and execution, by the name aforesaid.

Trustees incorporated.

SEC. 3. *Be it further enacted*, That the said trustees, and their successors, shall and may annually elect a President and Clerk, and a treasurer to receive and apply the

Empowered
to elect officers.

monies hereinafter mentioned, as hereinafter directed, and any other needful officers.

Number of Trustees limited.

SEC. 4. *Be it further enacted*, That the number of trustees shall not at any one time be more than seven, nor less than five, any four of whom may constitute a quorum for transacting business, any three of their number shall have power to adjourn their meetings from time to time; and they shall and may fill up vacancies in their number, which may happen by death, resignation, or otherwise, from the members of said society; and they may remove any of their numbers who may become unfit and incapable, from age, infirmity, misconduct, or any other cause, of performing their duty, and supply a vacancy so made by a new choice from the society aforesaid. And the said trustees shall annually hold a meeting, in March or April, and as much oftener as may be found necessary, which meetings, after the first, shall be called in such way and manner as the trustees shall direct.

Annual meeting of Trustees.

First Meeting.

SEC. 5. *Be it further enacted*, That Zenas Payne, Esq. be, and he hereby is authorised to fix the time and place for calling the first meeting of the trustees, and to notify each trustee thereof.

Authorised to sell lands.

SEC. 6. *Be it further enacted*, That the said trustees be, and they are hereby authorised to sell and convey, in fee simple, all the parsonage or ministerial lands belonging to said society, and to make, execute, and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, subscribed by their treasurer, by direction of said trustees, with their seal affixed, shall be good and sufficient in law to pass and convey the fee simple from said society to the purchaser, to all intents and purposes whatever.

Monies to be at interest.

SEC. 7. *Be it further enacted*, That the monies arising from the sale of said lands shall be put at interest as soon as may be, and secured by mortgage of real estate, to the full value of the estate sold, or by two or more sufficient sureties with the principal, unless the trustees shall think it best to invest the same in public funded securities, or bank stock, which they may do.

Interest, how applied.

SEC. 8. *Be it further enacted*, That the interest arising from time to time, on such monies, shall be annually, or oftener if practicable, put out at interest and secured in manner aforesaid, unless invested in the funds or bank

stock as aforesaid, and also the interest accruing from the interest, until a fund shall be accumulated, which shall yield yearly the sum of three hundred dollars interest: *Provided* the said society shall annually vote, assess, and pay the Rev. Dr. Coffin, their present teacher, his usual salary during his life. Proviso.

SEC. 9. *Be it further enacted*, That as soon as an interest to that amount shall accrue, the trustees shall forthwith apply the same for the annual support of the congregational minister, which may then be settled in said society. or which may hereafter be settled there; and so long as the said society shall remain without a settled minister, the annual interest aforesaid shall be put out at interest, and secured as aforesaid, until there be a resettlement of a minister. Support of minister.

SEC. 10. *Be it further enacted*, That the treasurer of the trustees shall give bond faithfully to perform his duty, and to be at all times responsible for the faithful application and appropriation of the monies which may come into his hands, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office. Duty of the Treasurer.

SEC. 11. *Be it further enacted*, That the trustees or their officers, for the services they may perform, shall be entitled to no compensation out of any monies arising from the fund aforesaid; but if entitled to any, shall have and receive the same of said society, as may be mutually agreed on. Compensation of Trustees.

SEC. 12. *Be it further enacted*, That the said trustees and their successors shall exhibit to the society, at their annual meeting in March or April, a regular and fair statement of their doings. Shall transmit statement of accounts.

SEC. 13. *Be it further enacted*, That the said trustees and each of them shall be responsible to the society for their personal negligence or misconduct, whether they be officers or not, and liable to a suit for any loss or damage arising thereby; the debt or damage recovered in such suit, to be for the use aforesaid. Trustees responsible.

[Approved by the Governor, February 18, 1814.]

CHAP. CXLI.

An Act regulating the Toll allowed to the Proprietors of Connecticut River Bridge.

Section re-
pealed.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the fifth section of an act, entitled "An an act for incorporating certain persons for the purpose of building a bridge over Connecticut river, in the county of Hampshire, and for supporting the same," passed June eighteenth, in the year one thousand seven hundred and ninety-six, be, and the same is hereby repealed.

Rates of toll.

SEC. 2. *Be it further enacted,* That a toll be, and hereby is granted to the proprietors of Connecticut river bridge, to reimburse them for their expenses in building said bridge, and for supporting the same, according to the following rates, viz. : for each foot passenger, three cents ; for each horse and rider, eight cents ; for each horse and chaise, chair, sulkey, or waggon, drawn by one horse, sixteen cents ; for each coach, chariot, phaeton, or other four wheel carriage for passengers, thirty-three cents ; for each curricule, twenty-five cents ; for each sleigh for passengers, drawn by one horse, twelve and a half cents ; if drawn by more than one horse, sixteen cents ; for each cart, waggon, sleigh, or other carriage of burthen, drawn by one beast, twelve and a half cents ; and for every additional beast, four cents ; for horses or neat cattle, exclusive of those rode on, or in carriages, three cents ; for sheep and swine, one cent each ; and one person only shall be allowed as a driver to each team, to pass free of toll ;—and all persons who shall have occasion to pass said bridge to perform military duty, shall pass free of toll.

[Approved by the Governor, February 18, 1814.]

CHAP. CXLII.

An Act to incorporate The Protestant Episcopal Society
in the town of Sheffield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Samuel Adams, Elijah Arnold, Morris Austin, Seth Austin, Jonathan Bartlett, Roger Barton, Asa F. Bigelow, David Burrell, Jedediah Burrell, Warren Burrell, Samuel C. Clay, Archer Callender, Ira Chamberlain, John Chapman, Samuel Curtis, James Curtis, Giles Curtis, Harmi Davis, Caleb Dresser, William Dunwell, Ebenezer Ferry, Isaac Ferry, Oramel Ferry, Samuel Fosket, Whitney Fosket, Zacheus Goodrich, Moses Hubbard, Harvey H. Hubbard, Timothy Hubbard, Jun. William Huggins, Jared Johnson, Joseph Johnson, William Johnson, Austin Kenney, Walter Landon, Rowland Langford, Timothy Lovejoy, Asa Mason, Nathaniel Noble, Jun. Allen Pease, Nathaniel Pixley, Carmi Ransford, Solomon Ransford, Gideon Schelinger, Gilbert Schelinger, Hector Schelinger, Amos Shears, Edwin Shears, Harry Shears, Jeremiah Shears, Samuel Shears, Zachariah Shears, Nathaniel Spaulding, Derrick Spoor, Derrick Spoor, Jr. Jacob Spoor, Nicholas Spoor, Stephen Stephens, Thomas Stevens, William Stephens, Wm. Stephens, Jun. Eliakim Vosburgh, Gomery Vosburgh, Russell Vosburgh, Salmon Way, Joel Way, Calvin Westover, Elisha Westover, Levi Westover, Job Westover, Jacob Warn, Benoni Warn, Joseph Wilcox, and Ebenezer Wilcox, together with their families and estates, and such other persons as may hereafter associate with them, and their successors, in the manner provided in this act, be, and they are hereby incorporated as a Religious Society, by the name of The Protestant Episcopal Society in Sheffield, with all the powers and privileges, which are exercised and enjoyed by, and subject to all the duties, obligations, and restrictions, incident to other religious societies, according to the constitution and laws of this Commonwealth.

Persons in-
corporated.

Rights and
privileges.

SEC. 2. *Be it further enacted*, That any person living in the said town of Sheffield, being a member of any other

Manner of
becoming a
member.

religious society in the said town, who may desire to join the said Episcopal society, shall, previous thereto, declare such desire in writing, and deliver it to the minister or clerk of the said Episcopal society, and shall also give a copy of the said written desire to the clerk of said town; and if such person doth receive, and can produce a certificate, signed by the wardens of said Episcopal society, that such person has been received as a member thereof, such person, with his or her polls and estate, shall be considered and held a member of the said Episcopal society: *Provided always*, that such person shall be holden to pay his or her proportion of all legal assessments, or other parish, or society charges and expenses, due and unpaid, at the time of leaving one society and joining another.

Proviso.

Manner of
leaving.

SEC. 3. *Be it further enacted*, That when any member of the said Episcopal society may see cause to leave the same, and to join in a parish or society relation, with any other religious society in the said town of Sheffield, shall declare such desire and intention in writing, and deliver it to the minister or deacons thereof, and shall also give a copy of the same to the wardens of the said Episcopal society; and if such person do receive, and can produce a certificate of admission to membership, with such other society, such person with his or her polls and estate, from the date of such certificate, shall be considered and held as a member of the society to which he or she has so become united: *Provided however*, That in every case of secession from one society, and joining another in the said town of Sheffield, every such person shall always be holden to pay his or her proportion of all legal assessments, and all other parish or society charges and expenses due and unpaid, at the time he or she may so secede.

Proviso.

Justice to is-
sue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Berkshire, is hereby empowered to issue a warrant directed to one of the members of said Episcopal society, requiring him to notify and warn the members thereof, to meet at such convenient time and place, as shall be appointed in said warrant, to organize the said society, by the election and appointment of its officers.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLIH.

An Act in further addition to “ An act in addition to acts regulating the storage, safe keeping and transportation of gunpowder within the town of Boston.”

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of April next, no commissary or any other officer or officers, or any person or persons, in the service of the United States, or acting in the department of commissary or quarter master general of this Commonwealth, shall be permitted to have, keep, or possess within the town of Boston, a greater quantity of gunpowder than four hundred pounds; and that the powder so had and possessed within the said town, shall be kept in a place approved of by the fire-wards of the said town, either under ground in a vault, or in a stone or brick building secured against explosion by fire. Powder,
where kept.

SEC. 2. *Be it further enacted,* That any gunpowder which shall be found in the possession of, or which may be had or kept within the town of Boston, by any officer or officers, or any person or persons whatsoever, acting in behalf or under the authority of the United States, or by any agent or servant of such officers or persons; and all gunpowder, possessed, had, or kept, by any officer of the commissary or quarter master generals departments of the state of Massachusetts, or persons acting under the authority of these departments, contrary to the provisions of this act, may be seized by any two or more of the firewards of the town of Boston, and the same may be libelled and condemned, and sold, and the proceeds thereof distributed as is by law provided for the forfeiture of gunpowder in other cases within said town. Duty of Fire-
wards.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLIV.

An Act for the preservation of Fish in Penobscot River and Bay, and the several streams emptying into the same.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person shall make or continue any dam or other obstruction, in or across Penobscot river, or any stream or pond emptying into the same, or into any part of Penobscot bay, northerly of the southerly lines of Lincolnville and Castine, through or into which salmon, shad or alewives have been accustomed, at any time within the last twenty years, to pass up for the purpose of casting their spawn, without providing and constantly keeping open and clear a sufficient and convenient passage or sluice way, for such salmon, shad or alewives to pass and repass, from the tenth day of May, to the tenth day of June annually, in all the waters below the town of Orono, and in all the waters in and above the said town of Orono, from the said tenth day of May, to the twentieth day of June annually; every such person shall forfeit and pay a fine not exceeding two hundred dollars, nor less than fifty dollars. And any person who shall, at any time, catch any of the said fish, within forty feet of any such passage or sluice way, shall forfeit and pay a fine of five dollars for every such offence: *Provided however*, That the foregoing clause shall not be construed to prevent the taking of fish in the sluice way, round the mill dam owned by James Brackett, Jun. on Nichol's stream, in plantation number four, on the east side of Penobscot river, from sunrise on Monday to sunrise on Thursday in each week, from the tenth day of May to the fifteenth day of June in each year.

Penalty for obstructing passage.

Proviso.

Penalty for taking fish contrary to law.

SEC. 2. *Be it further enacted*, That any person who shall catch any shad or alewives in any of the waters aforesaid, between the tenth day of May and the fifteenth day of June annually, or any salmon between the said tenth day of May and the first day of July annually, at any other time or times than between sunrise on Monday and sunrise on Saturday in each week, shall forfeit and pay, for

each salmon, two dollars ; for each shad, one dollar ; and for each alewife, twenty cents, so taken, except such shad as may unavoidably be taken in nets or machines set or used for the express purpose of catching salmon between the fifteenth day of June and the first day of July annually. And any person who shall set or allow to continue, in any of the waters aforesaid, any net, seine or other machine for catching any of the said fish, at any time or times other than is herein allowed for taking said fish, shall forfeit and pay a fine not exceeding ten dollars, nor less than five dollars ; and any person who shall use any net, seine or other machine for catching said fish, in any of said waters, or who shall, by joining two or more nets or seines, that together shall extend more than one third the way across the streams or waters where the same may be used, or whose nets or seines for drifting shall be more than twelve feet deep, shall forfeit and pay a fine not exceeding twenty, nor less than five dollars.

Shall not set seine at any other time than herein provided.

SEC. 3. *Be it further enacted*, That any person who shall erect any circular or other weare, for the purpose of taking any of the said fish in any of the waters aforesaid, and shall neglect to keep open one clear passage way in each pound, enclosure, or apartment of such weare, for the fish to pass out, at least ten feet high from the bottom of such weare, and four feet wide, from sun-rise on Friday in each week to sun-rise on Monday the succeeding week, as aforesaid, shall forfeit and pay a fine not exceeding one hundred dollars, nor less than twenty dollars, for each offence. And no such weare shall be erected or continued in any of the waters aforesaid, until application shall be made to the selectmen of the town in which such weare is contemplated to be erected or continued, nor until such selectmen have given a licence therefor ; and every applicant for leave to erect or continue such weare shall, before such licence is granted, give bond, with sufficient sureties, in a sum not exceeding five hundred dollars nor less than three hundred dollars, to the treasurer of, and for the use of such town, conditioned to pay any fine that may be incurred under this act, by reason of such weare being used for the purpose of catching any of said fish contrary to the provisions of this act. And any person who shall set any net or seine within four rods of any passage-way from such weare, shall forfeit and pay a fine of ten dollars.

Erection of weare, &c.

y for t.

App give

Penalty for
salting fish.

SEC. 4. *Be it further enacted*, That if any person shall purchase or salt any fresh shad or alewives after the sixteenth day of June annually, or fresh salmon after the second day of July annually, such person shall forfeit and pay, for each fish so purchased or salted, the same fines as are provided by the second section of this act; and any person who shall catch any of said fish in any manner whatever between the first day of July and the first day of December annually, shall forfeit and pay the same fines for each fish so taken. And any person who shall, at any time, catch any of the said fish in any of the waters of said river, or in any stream or pond emptying into said river, above the river Piscataquis, shall forfeit and pay the like fine for every fish so taken.

May seize
nets, seines,
and boats.

SEC. 5. *Be it further enacted*, That all nets, seines and boats, used for catching any of the said fish, and all fish taken contrary to the provisions of this act, shall be forfeited, and may be seized, while so used, by any fish-warden or other person authorised to carry the provisions of this act into effect, and libelled before any Justice of the Peace for the county of Hancock, who, thereupon, shall post a notification in some public place, describing the articles libelled, and naming a time and place when a hearing shall be had thereon, which shall not be more than forty-eight, nor less than twenty-four hours from the time of receiving such libel; and if no person shall appear to claim said articles, or if any person shall appear and claim, and shall not show sufficient cause why the same should not be forfeited, the said Justice shall adjudge the said articles to be forfeited, and shall order the same to be sold at public vendue, and the money arising from such sale, after deducting legal costs, paid over as is herein provided for other fines and forfeitures.

Prov

in
point
renders

SEC. 6. *Be it further enacted*, That the selectmen of every town, and the assessors of every plantation adjoining the waters aforesaid, shall, on or before the tenth day of April annually, appoint three or more-discreet inhabitants of such town or plantation, who shall not be concerned in catching any of the said fish, and who shall not be interested in any dam or other obstructions in said waters, as fish-wardens; and it shall be the duty of said selectmen or assessors to assign to each warden so appointed, his ward or district therein, and the persons so appointed shall

be sworn faithfully and impartially to discharge the duties required of them by this act: and any person appointed fish-warden as aforesaid, who shall not, within seven days after having been notified thereof, qualify himself accordingly, shall forfeit and pay a fine of twenty dollars; and the said selectmen or assessors, as often as such neglect shall happen, shall continue to appoint as aforesaid, until the office is filled; and every selectman or assessor who shall neglect to perform the duties aforesaid, shall forfeit and pay a fine of ten dollars for each week they shall so neglect, after the tenth day of April annually: *Provided always*, That no person shall be obliged to serve as fish-warden more than one year in three.

Penalty for
fish-warden
not qualify-
ing himself.

SEC. 7. *Be it further enacted*, That it shall be the duty of every such fish-warden, to examine and inspect his ward or district, and he shall have authority to examine and inspect any other ward, district, or place, in any of the waters aforesaid, and to cause the provisions of this act to be carried into full effect, to give information and prosecute all breaches of this act, and it shall likewise be the duty of grand-jurors, coroners, and constables, to do the same; and all fines and forfeitures incurred under this act, may be recovered by complaint, action of debt, or indictment, before any Justice of the Peace or other court having competent jurisdiction, one moiety to the use of the town or plantation where the offence shall be committed, and the other moiety to the use of the plaintiff or informer; and no person shall be precluded from being a competent witness in the trial of any libel, complaint, or indictment, by reason of his being entitled to any part of said fine or forfeiture; and every such fish-warden, appointed and sworn as aforesaid, who shall neglect or refuse faithfully to perform the duties required of him by this act, shall forfeit and pay a fine not exceeding one hundred dollars nor less than twenty dollars; and every fish-warden, appointed and sworn agreeable to this act, shall be entitled to receive from the town or plantation in which he resides, one dollar for each and every day he shall be actually employed in carrying into effect the provisions of this act.

Duty of fish-
wardens.

Penalty for
neglect.

SEC. 8. *Be it further enacted*, That no fine which may be incurred under this act shall be recovered, unless prosecution therefor shall be commenced within six months after the offence shall have been committed.

Recovery of
Fines, &c.

Former acts
repealed.

Providb.

SEC. 9. *Be it further enacted*, That this act shall be in force from and after the first day of April next, and that after said day all laws heretofore made for the purposes aforesaid, be, and the same are hereby repealed, excepting "An act to prevent the destruction of the fish called shad and alewives, in their passage up and down the river and other streams in the town of Orington, in the county of Hancock, and for regulating the taking and disposing of said fish," passed February ninth, one thousand eight hundred and seven : *Provided however*, That the fourth section of the last mentioned act be so far repealed, as that the committee, named in said section, shall appoint five days in each week, from the first day of May to the first day of July annually, (instead of the days and times therein mentioned,) when said fish shall be taken : *Provided nevertheless*, That all prosecutions and processes now pending shall proceed to final judgment and execution as if this act had never been made.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLV.

An Act to incorporate The Troy Cotton and Woollen Manufactory.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Sheffel Weaver, James Maxwell, James Driscoll, Daniel Buffinton and Nathaniel Wheeler, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of The Troy Cotton and Woollen Manufactory, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Troy, in the county of Bristol ; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An Act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid. May hold real and personal estate.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLVI.

An Act to incorporate The Adams South Village Manufacturing Company.

SEC. 1. **B***F. it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Jonathan Richardson, Russell Brown, Humphry Anthony, Eli Green, Jesse Whipple, Arthur Field, David Anthony, jun. and Isaac Brown, together with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Adams South Village Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Adams, in the county of Berkshire; and for the purpose aforesaid shall have all the powers and privileges, and shall also be subject to all the duties and requirements, contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, eighteen hundred and nine. Persons incorporated.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall and may lawfully hold and possess such real estate, not exceeding in value thirty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactories aforesaid. May hold real and personal estate.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLVII.

An Act to regulate the Fishery in Aggawaum or West-field River.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That, from and after the passing of this act, any person or persons who shall draw a seine, or drag-net within thirty rods of the lower side of the dam, or race-way at White's mills, on Aggawaum River, in the town of West Springfield, for the purpose of catching shad, alewives or other fish, shall, for each and every offence, forfeit and pay the sum of five dollars for each time he or they shall so draw said seine, together with the forfeiture of the boat and seine.

Shall not set
seine, &c.

SEC. 2. *Be it further enacted*, That if any person or persons shall set any pot, net, weare or hurdell, within thirty rods of said dam, or race-way, for the purpose of catching fish of any kind, he or they shall, for each and every offence, severally forfeit and pay the sum of five dollars, for every twelve hours, said pot, net, weare or hurdell, shall be placed in the said river, and so in proportion for a greater or less time.

Shall not set
pot, &c.

SEC. 3. *Be it further enacted*, That any person who shall attempt to catch fish with a scoop-net, within the aforesaid distance of the lower side of said dam, or in or near the sluice-way made for the passage of fish through said dam, shall, for each and every offence, forfeit and pay the sum of one dollar.

Shall not
catch with a
scoop-net.

SEC. 4. *Be it further enacted*, That all the fines and forfeitures, incurred by a breach of this act, may be recovered, in an action on the case, before any Justice of the Peace for the county of Hampden.

Fines and
forfeitures.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLVIII.

An Act to establish a Corporation for building a Bridge at Hall's Gurnet, between the towns of Brunswick and Harpswell.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the inhabitants of that part of the town of Harpswell, living on the island of Sebascodegan, east of the Long-reach mountain, as now have, or shall hereafter associate, shall be, and hereby are empowered to rebuild and keep in repair a bridge, which was built in the year of our Lord one thousand seven hundred and ninety, over the waters between the towns of Brunswick and Harpswell, at a place called Hall's Gurnet; and for this purpose shall have all the powers and privileges incident, and usually given to Bridge Corporations, (as far as they are applicable and necessary for the purposes of this act,) by the name of The Harpswell Gurnet Bridge Corporation: *Provided* that the said bridge shall always be free, and no toll shall ever be demanded of any passenger for passing the same. And the said corporation in choosing their officers, in making and collecting their assessments, in recovering assessments of delinquents, in obtaining judgment for damage wantonly or maliciously done to the said bridge by any person, in fixing the time and mode of calling future meetings, and in all other cases where a rule or president may be necessary for their conduct, the said corporation shall govern themselves by the same rules, and use the same provisions, as are made in the "Act for incorporating certain persons for building a bridge over Amerescoggen river, between Brunswick and Topsham, and for supporting the same."

Empowered
to rebuild
Bridge.

Provide.

SEC. 2. *Be it further enacted,* That the said corporation shall have the right to recover against any inhabitant living on the east side of said mountain, not a member of said corporation, who, or whose family, or labourers, shall pass said bridge, ten dollars annually, until they become members of said corporation, which they may do at any time hereafter, by leaving their names with the clerk of

Recovery of
Toll,

said corporation, signifying their intention to become members thereof.

Justice to is-
sue warrant. SEC. 3. *Be it further enacted*, That any Justice of the Peace for the county of Cumberland, upon application therefor, is hereby empowered to issue a warrant, directed to one of the inhabitants of the said island of Sebasco-degan, requiring him to notify and warn a meeting of the said Harpswell Gurnet Bridge Corporation, at such convenient time and place as shall be appointed in the said warrant, to organize the said corporation.

[Approved by the Governor, February 22, 1814.]

CHAP. CXLIX.

An Act establishing The Nobscusset Point Pier Company.

Persons in-
corporated. SEC. 1. *BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Daniel Howes, Henry Hall, Zenas Howes, John Howes, Jun. and Oran Howes, and all such persons as are, or shall be associated with them, and their successors, shall be a corporation, by the name of The Nobscusset Point Pier Company, and shall by that name sue and be sued, implead and be impleaded, and shall and may appear, prosecute, and defend in all actions or suits, for or against them, till final judgment, execution and satisfaction; and they shall have a common seal, and shall be capable in law, to take by purchase or otherwise, and to hold, and convey real estate: *Provided*, That the whole real estate which the company may at any one time hold, or possess, in their corporate capacity, shall not exceed twenty thousand dollars in value.

Proviso.

Here to
set Pier.

SEC. 2. *Be it further enacted*, That the said Pier shall be erected upon the easterly side of Nobscusset Point, (so called) in the town of Dennis, in the county of Barnstable, to be built of stone and timber, and to commence at a sufficient distance from high water mark, at said point, and to run easterly six hundred feet, more or less.

SEC. 3. *Be it further enacted*, That the said Daniel Howes, Henry Hall, and Zenas Howes, or any two of them, may call a meeting of said corporation, by giving notice

in posting up an advertisement at Dennis north meeting-house in said town, at least ten days before the time of meeting; and at that or any other legal meeting, the said corporation may agree on the mode of calling and warning future meetings, and may elect a President, Trustees, Clerk, or such other officers as they may judge fit for the orderly conducting of their affairs, and the prudent management of their estate; and such officers, at their pleasure may change or remove, and at all their meetings, the proprietors present may vote according to their interest in said property, allowing one vote to each share: *Provided* May call a meeting. *however,* that no person shall have more than five votes, and absent proprietors may vote by proxy, authorised in writing; and the proprietors of said corporation may, at any legal meeting, adopt such by-laws, rules and regulations, as shall be necessary and convenient for the management of their affairs: *Provided,* Proviso. the same are not repugnant to the laws or constitution of this Commonwealth.

SEC. 4. *Be it further enacted,* That the shares of any person in said Pier Company, may be attached on mesne process, or taken and sold on execution, in the manner pointed out by an act, entitled "An act directing the mode of attaching on mesne process, and selling by execution, shares of debtors in incorporated companies." Attachment of property.

SEC. 5. *Be it further enacted,* That the shares of each proprietor in said corporate property shall be, and be considered in all respects personal estate, and shall be transferred in such manner, as the proprietors by their laws shall provide and direct. Personal estate.

[Approved by the Governor, February 22, 1814.]

CHAP. CL.

An Act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the tax which the President, Directors and Company of the Massachusetts Bank, are, and shall be liable to pay to the Commonwealth, shall be,

Tax, how ap-
propriated.

and hereby is granted and appropriated, for ten years next to come, as follows, viz. : ten sixteenth parts thereof to the President and Fellows of Harvard College : three sixteenth parts thereof to the President and Trustees of William's College ; and three sixteenth parts thereof to the President and Trustees of Bowdoin College.

SEC. 2. *Be it further enacted*, That the President, Directors and Company of the Massachusetts Bank be, and they are hereby authorised and required to pay the said tax to the said Colleges, in the proportion aforesaid, in lieu of paying the same into the treasury of this Commonwealth.

SEC. 3. *Be it further enacted*, That at least one fourth part of the sums to be received by the said Colleges, shall be appropriated for, and towards the partial or total reduction of the tuition fees of such students, not exceeding one half the number of any class, who may apply therefor, according to the judgment of the respective corporations of said colleges.

[Approved by the Governor, February 24, 1814.]

CHAP. CLI.

An Act to incorporate the Linum and Duck Manufacturing Company.

SEC. 1. **B**E *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Joseph R. Newhall and Amos Binney, together with their associates, successors and assigns, be, and hereby are incorporated by the name of The Linum and Duck Manufacturing Company, for the purpose of spinning and manufacturing flax, hemp, (or whatever else can be manufactured with a certain machine called the Linum Spinner) in the town of Lynn, in the county of Essex, and one other town within this Commonwealth ; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements of an act, entitled " An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess real estate, to the value of fifty thousand dollars, and personal estate, to the value of one hundred and fifty thousand dollars. May hold real and personal estate.

SEC. 3. *Be it further enacted*, That Joseph R. Newhall, is hereby authorised to call the first meeting of the corporation, at such time and place, as he may deem proper, within the town of Boston, by giving to each proprietor due notice in writing of the time, place, and purposes of such meeting. First Meeting.

[Approved by the Governor, February 24, 1814.]

CHAP. CLII.

An Act for dividing the Commonwealth in Districts, for the choice of Counsellors and Senators.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Commonwealth be, and hereby is divided into sixteen districts, for the choice of Counsellors and Senators; and that each district be, and is hereby authorised and directed to choose the number of Counsellors and Senators thereto respectively affixed, in the manner prescribed by the constitution and laws of this Commonwealth. Commonwealth divided.

The county of Suffolk shall form one district, and choose six Senators. Counties forming districts.

The county of Essex shall form one district, and choose five Senators.

The county of Middlesex shall form one district, and choose three Senators.

The counties of Hampshire, Hampden and Franklin, shall form one district, and choose three Senators.

The county of Bristol shall form one district, and choose two Senators.

The county of Plymouth shall form one district, and choose two Senators.

The county of Barnstable shall form one district, and choose one Senator.

The counties of Dukes' county and Nantucket shall form one district, and choose one Senator.

The county of Worcester shall form one district, and choose four Senators.

The county of Berkshire shall form one district, and choose two Senators.

The county of Norfolk shall form one district, and choose two Senators.

The county of York shall form one district, and choose two Senators.

The county of Cumberland shall form one district, and choose two Senators.

The counties of Lincoln, Hancock and Washington, shall form one district, and choose three Senators.

The county of Kennebeck shall form one district, and choose one Senator.

The counties of Somerset and Oxford shall form one district, and choose one Senator.

[Approved by the Governor, February 24, 1814.]

CHAP. CLIII.

An Act to incorporate The Boston Asylum for Indigent Boys.

Preamble.

WHEREAS William Phillips, James Lloyd, William Sullivan, Benjamin Green, and Samuel H. Walley, and a number of other persons, have associated for the charitable purpose of relieving, instructing, and employing indigent boys belonging to the town of Boston, and to carry their association into effect, have petitioned to be incorporated :

Persons incorporated.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the said William Phillips and his associates, together with such others as may become subscribers to the same institution, in the manner herein after provided, be, and they are hereby incorporated into a society, by the name of The Boston Asylum for Indigent Boys, and by that name, shall be a corporation forever, with power to have a common seal, to make con-

tracts relative to the objects of their institution, to sue and be sued, to establish by-laws and orders for the regulation of the said society, and the preservation and application of the funds thereof: *Provided*, the same be not repugnant Proviso. to the constitution or laws of this Commonwealth. To take, hold and possess any estate, real or personal, by subscription, gift, grant, purchase, devise, or otherwise, free from taxes, and the same to improve, lease, exchange, or sell and convey, for the sole benefit of said institution: *Provided*, That the value of the real estate of said society, Proviso. shall never at any one time, exceed fifty thousand dollars, and the annual income of the whole estate of said society, shall not exceed twenty thousand dollars.

SEC. 2. *Be it further enacted*, That every person who shall subscribe, and pay to the funds of said society a sum not less than three dollars annually, shall, by such subscription and payment, become a member of said society, liable, however, to be removed therefrom, on neglect or refusal to pay the annual subscription aforesaid. Annual Subscription.

SEC. 3. *Be it further enacted*, That the said society shall meet in Boston, on the first Monday in May annually; for the purpose of electing by ballot from their members, a President, Vice-President, Treasurer, Secretary, and a board of not less than six, nor more than nine managers, in addition to the President, Vice-President, and Treasurer of the society, who shall always be ex officio members of the board of managers; all which officers shall hold their respective offices for one year, and until others shall be elected to succeed them; except in case of vacancy by death, or resignation; in which case the board of managers shall have power to fill such vacancy, until the ensuing annual election; and the said Board of Managers shall have power to call a meeting of the said society whenever they may deem it expedient; and it shall be their duty to call such meeting whenever requested thereto by fifty of the subscribers, and to give notice of the annual meetings, by advertisement, in at least two of the newspapers printed in Boston, at least seven days before such meeting: Not less than three managers shall form a quorum for the transaction of business, and all questions shall be decided by the votes of a majority of the managers present. And at all meetings of the society or the managers, the President shall preside, or if absent, the Vice- Time and place of meeting. May call a meeting.

President; and in case of the absence of both of the said officers, such person shall preside as the society, or the board of managers, at their respective meetings may elect.

Treasurer to
give bonds.

SEC. 4. *Be it further enacted*, That the treasurer of the society shall give bonds for the faithful performance of the duties of his office, and to render accounts of his transactions therein, as often as may be required by the board of managers, in such sum, and with such sureties, as to the said board of managers may be acceptable; and any officer or member of the said society, may be removed therefrom, on the vote of a majority of the whole number of members of which the society may at the time consist.

Management
of Property.

SEC. 5. *Be it further enacted*, That the board of managers, for the time being, shall have the entire direction and controul of the concerns, business, and interest of the society, and shall have the management and application of all the subscriptions, donations, funds and estate of the society, to be appropriated solely for the uses of the society; and no sale or transfer of any real or personal estate of said society shall be valid, unless approved by them; and no money shall be paid out of the treasury of said society, except by their order; they shall likewise have authority, at their discretion, to take into their Asylum, such indigent boys belonging to the town of Boston, as they may judge to be suitable objects of charity, to enjoy the benefit of the institution; and also to accept a surrender in writing by the father, or where there is no father, by the mother or guardian of any indigent boy as aforesaid, to the care and direction of said society, and to bind out in virtuous families, or to reputable trades or occupations, or to educate in such manner as they may deem beneficial, until the age of twenty-one years, any such indigent boy or boys, thus surrendered, or any such boy, who being destitute of parents within this Commonwealth, shall have been relieved and supported by the society:

Proviso.

Provided, that any parent whose child or children shall have received relief, or have been bound out as aforesaid, during the absence of such parent from this state, shall have liberty on his or her return to the state, to receive and withdraw such child or children on paying to the treasurer of the society the expense incurred in his or their relief and support as aforesaid. And the managers shall have authority to establish any rules and regulations for

the proceedings of the board and the concerns of said society, not repugnant to the laws of this Commonwealth, or the by-laws of said society.

SEC. 6. *Be it further enacted*, That any writ or process against said corporation, may be served by the officer's leaving an attested copy thereof with the treasurer of said society, or at his last or usual place of residence, thirty days before the return day thereof; and the said treasurer, or any person appointed for that purpose by the society, or by the managers, may appear by attorney and defend or prosecute any suit in behalf of said society; and all instruments of conveyance or contract which may lawfully be made by said society, shall be approved by the managers, and signed by the President or Vice-President, as the board may direct, and countersigned by the Secretary, and if necessary, sealed with the common seal of said society, and when so executed, shall be binding thereon and valid in law.

Manner of
serving a
writ.

SEC. 7. *Be it further enacted*, That Benjamin Green be, and he hereby is authorised to call the first meeting of the said society, by giving public notice of the time and place of meeting, by advertisement in one or more of the newspapers printed in the town of Boston, at least three days prior to such meeting, and at which meeting the officers before mentioned of the society shall be elected, and shall hold their offices until the first annual election of officers shall be holden agreeably to the provisions of this act.

First meet-
ing.

[Approved by the Governor, February 24, 1814.]

CHAP. CLIV.

An Act to establish The Walpole Manufacturing Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Dexter, James Richardson, Eli Bonney, Timothy P. Whitney, Samuel Whitney, Lovett Kingsbury, William Bacon, David Ruggles, James Clark, and Sewall Sanford, together with such others as have, or may hereafter associate with them, their successors and

Persons in-
corporated.

assigns, be, and they are hereby made a corporation, by the name of The Walpole Manufacturing Company, for the purpose of manufacturing cotton and woollen goods in the town of Walpole, in the county of Norfolk ; and, for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, February 24, 1814.]

May hold real and personal estate.

CHAP. CLV.

An Act to establish The Stony Brook Manufacturing Company.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That David Gilbert, Josiah J. Fiske, Richard Briggs, Daniel Cook, Richard Sayles, and Willard Sayles, together with such persons as have, or may be hereafter associated with them, their successors and assigns, be, and hereby are made a corporation, by the name of The Stony Brook Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Wrentham, and county of Norfolk ; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing corporations."

SEC. 2. *Be it further enacted*, That the said corporation may be lawfully seized of such real estate, not exceeding the value of thirty thousand dollars, and such personal es-

Persons incorporated.

May hold real and personal estate.

tate, not exceeding seventy thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactory as aforesaid.

[Approved by the Governor, February 24, 1814.]

CHAP. CLVI.

An Act to incorporate The Second Oxford Agricultural Society.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Robert Carr, Thomas Clark, Shubael Tripp, Reuel Burrows, Gideon Cushman, Jun. Persons in- their associates and successors, be, and they hereby are corporated. made a corporation, by the name of The Second Oxford Agricultural Society; and for this purpose shall have the same powers and privileges, and be subject to the like duties and restrictions, as the other incorporated Agricultural Societies in this Commonwealth. And the said corporation may lawfully hold and possess real estate, not exceeding twenty thousand dollars, and the annual income of its personal estate shall not exceed two thousand dollars.

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Oxford is hereby authorised to issue a warrant, directed to one of the members before Justice to is- named, requiring him to notify and warn the first meeting sue warrant. of the said society, to be holden at such convenient time and place, as may be appointed in said warrant, to organize the said society, by the election of the necessary officers.

[Approved by the Governor, February 24, 1814.]

CHAP. CLVII.

An Act respecting the times and places for holding the Courts of Probate in the county of Hampshire.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, there shall be holden in the town of Belchertown,

Times and
places of hol-
ding court.

in the county of Hampshire, two Courts of Probate in each year, at such places therein, and at such times in the year, as the Judge of Probate for the said county shall appoint.

SEC. 2. *Be it further enacted*, That from and after the passing of this act, the Judge of Probate for said county of Hampshire shall not be obliged to hold in the town of Amherst, in said county, more than two Courts of Probate in each year, to be holden therein at such times and places as the said Judge of Probate shall appoint, any law to the contrary notwithstanding.

[Approved by the Governor, February 24, 1814.]

CHAP. CLVIII.

An Act in addition to an act, entitled "An act to incorporate the Massachusetts General Hospital."

May grant
annuities.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That the Massachusetts General Hospital be, and the said corporation hereby is authorised to grant annuities on the life or lives of one or more persons, or for shorter terms of time, on such conditions, and with such security, as the said corporation and the annuitant or annuitants, may agree upon.

Duties of the
Trustees.

SEC. 2. *Be it further enacted*, That if at any time hereafter it shall appear to the Legislature, that the privilege of granting annuities, hereby given to the said corporation, shall be injurious to the public welfare, the power of the Legislature to repeal this act, authorising such annuities, shall not be denied or impaired; but such repeal shall not effect any engagement to which said corporation may have become a party previous thereto. And it shall be the duty of the Trustees of the said Massachusetts General Hospital to transmit to the Governor and Council of this Commonwealth for the time being, annually, on the first Monday in January of each year, an accurate account of all annuities by them sold or granted, by virtue of this act, signed by the said trustees or a major part of them, and attested by the Treasurer of the corporation.

[Approved by the Governor, February 24, 1814.]

CHAP. CLIX.

An Act to incorporate The Watertown Woollen Manu-
factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Stephen Cook, Daniel Boyden, James Cook, Thaddeus Cole, Isaac Patten, Aaron Clap, and Tyler Bigelow, with such as already have, or hereafter may associate with them, their successors or assigns, be, and hereby are made a corporation, by the name of The Watertown Woollen Manufactory Company, for the purpose of manufacturing woollen cloths in the town of Watertown; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An Act defining the general powers and duties of Manufacturing Corporations."

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That said corporation may be lawfully seized and possessed of such real estate, not exceeding twenty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars in value, as may be necessary and convenient for the carrying on the manufactory aforesaid.

May hold re-
al and per-
sonal estate.

[Approved by the Governor, February 24, 1814.]

CHAP. CLX.

An Act in further addition to an act, entitled "An act defining the general power and duty of Turnpike Corporations."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That every traveller, being about to pass any turnpike gate or toll bridge, within this Commonwealth, and claiming to be exempted by law from the payment of toll, shall, if required by a toll gatherer, first

Duty of travellers.

deliver to him his name and place of abode ; and whoever shall, for the purpose of avoiding the payment of toll at any such gate or bridge, wilfully give a false account to a toll gatherer of his name or place of abode, and thereby pass the gate, toll free, shall forfeit and pay to the use of such Corporation, for every such offence, the sum of ten dollars, to be recovered by the Treasurer of said Corporation by action of debt.

Roads and passways.

SEC. 2. *Be it further enacted*, That if any person or persons shall open or make any road or passway leading from any turnpike road within this Commonwealth, and reunite said road or passway with the same turnpike road or any other road connected therewith, with an intent and for the purpose of avoiding, or aiding others to avoid, any gate on such turnpike road, he or they shall forfeit and pay to the use of such turnpike Corporation, so intended to be injured, a sum not less than two hundred dollars, nor more than one thousand dollars, to be recovered by the Treasurer of such turnpike Corporation, in an action of trespass on the case : *Provided however*, that nothing in this section contained shall be construed to extend to the opening or making of any county road.

Width of felloes.

SEC. 3. *Be it further enacted*, That all loaded carts or waggons, passing on any turnpike road within this Commonwealth, carrying more than forty-five hundred gross weight, shall, from and after the first day of July next, be drawn on wheels having each a felloe not less than three and an half inches wide ; and if any person or persons shall, after the said first day of July next, pass on any turnpike road in this Commonwealth with a cart or waggon loaded as aforesaid, with narrower felloes than is above provided, he or they shall pay to such Turnpike Corporation three times the legal toll for such loaded cart or waggon.

Duty of the Drivers.

And it shall be the duty of any person or persons driving or having the care of a loaded cart or waggon, passing on any turnpike road as aforesaid, upon the request of the toll gatherer, to give a true account of the weight of his load, and also his name and place of abode ; and if he shall refuse to give, or wilfully misrepresent the weight of his load, or shall give a false account of his name or place of abode, with intent to defraud any Turnpike Corporation, he shall forfeit and pay to the use of such Turnpike Corporation the sum of ten dollars for every such offence, to

be recovered by the treasurer of such Turnpike Corporation by action of debt.

SEC. 4. *Be it further enacted*, That if any owner or person, having the care of any drove of neat cattle or horses, and driving the same over any turnpike bridge, or over any toll bridge within this Commonwealth, shall permit more than twenty neat cattle or horses to be on any such bridge, which shall be more than fifty feet in length from one abutment, pier, or trussel part to another, at one and the same time, without the consent of the toll gatherer or agent of said corporation; or if any owner or person shall drive or transport over any such bridge, without the consent of the toll gatherer or agent thereof, any loaded cart or waggon, or other carriage, the weight whereof shall exceed forty-five hundred gross weight, exclusive of the team and carriage, and shall thereby break down or injure such bridge, such person or persons, owner or owners, shall not recover any damages of the corporation owning said bridge.

Regulations
of Tollgatherers.

SEC. 5. *Be it further enacted*, That if any person driving or having the care of any loaded cart or waggon passing on any turnpike road within this Commonwealth, from and after the first day of July next, shall lock, chain, or fasten any of the wheels of such loaded cart or waggon, without putting under such locked, chained, or fastened wheel, an iron shoe, not less than six inches wide and twelve inches long, such person driving or having the care of such loaded cart or waggon, shall for every offence forfeit and pay to such Turnpike Corporation a sum not less than two dollars, nor more than twenty dollars, to be recovered by the treasurer of such Turnpike Corporation in an action of trespass on the case.

Loaded carriage.

SEC. 6. *Be it further enacted*, That if any turnpike or bridge corporation, or any agent thereof, shall unreasonably delay or hinder any person, driving any cart or waggon, sleigh or carriage, from passing any turnpike gate or toll bridge, such turnpike or bridge corporation shall forfeit and pay to such person so delayed or hindered, a sum not less than two dollars nor more than twenty dollars, to be recovered by such person by a special action of the case.

Penalty for delay.

[Approved by the Governor, February 24, 1814.]

CHAP. CLXI.

An Act in addition to an act, entitled "An act to incorporate certain persons, for the purpose of building a Bridge over Sebacicook river, in the town of Winslow."

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, the proprietors of the Sebacicook Bridge, in the town of Winslow, shall be obliged to erect and constantly keep exposed to public view, but one sign or board, upon which shall be written the rates of toll, and all tollable articles, in large and capital letters, any thing in the act incorporating the said proprietors to the contrary notwithstanding.

Proprietors
to erect sign
board.

SEC. 2. *Be it further enacted*, That the location of the Sebacicook Bridge, in the town of Winslow, shall be deemed, held, and taken to be as valid and legal a location, as though the same had been signed, certified, and returned into the office of the Register of Deeds, in the county of Kennebeck, by the Selectmen of the town of Winslow, in three months from said location, as is provided in and by the act incorporating the said proprietors.

Location of
Bridge.

SEC. 3. *Be it further enacted*, That the proprietors of the Sebacicook Bridge, in the town of Winslow, from and after the passing this act, shall be entitled to take and receive, for all sheep and swine passing said bridge, the sum of six cents for each dozen, and at that rate for a greater or less number.

Rates of toll.

[Approved by the Governor, February 24, 1814.]

CHAP. CLXII.

An Act to incorporate The Maine Charity School, in the county of Hancock.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That there be, and hereby is estab-

lished in the county of Hancock, a literary seminary, by the name of The Maine Charity School, for the purpose of promoting religion and morality, and for the education of youth in such languages, and in such of the liberal arts and sciences, as the trustees thereof shall, from time to time, judge the most useful and expedient for the purposes of said seminary, and as they may accordingly order and direct.

School established.

SEC. 2. *Be it further enacted*, That the number of the said trustees shall never be more than fifteen nor less than nine, seven of whom shall be a quorum for doing business; and the said trustees who are by this act, with their associates and successors, created a corporation and body politic, shall be, and hereby are declared to have perpetual succession, with all the powers and privileges actually given to, and exercised and enjoyed by other institutions of the like nature and purpose. And the said corporation shall have and use a common seal, subject to alteration and change, when they see cause; and all deeds or other instruments, given by said trustees, shall be sealed with said seal, and when signed, sealed, executed, acknowledged, and delivered, by the treasurer of said corporation, shall be binding on the said corporation, and shall be good and valid in law.

Number of Trustees limited.

SEC. 3. *Be it further enacted*, That the said trustees shall have power to elect by ballot a President, Vice President, Secretary, and Treasurer, and to appoint such other officers and instructors in said seminary, as they may, from time to time, judge necessary; to fix the tenure of their respective offices, and to define their several powers and duties; to vacate the place of any trustee, officer, or instructor, when, in their opinion, by reason of age, misconduct, or other cause, he has become incapable of discharging the duties of his office; to fill all vacancies which may so happen; to fix the times and places for holding the meetings of said corporation, and the mode of notifying the members; and to prescribe and establish such reasonable ordinances, statutes, and by-laws, as will best promote and cultivate a temper of subordination, and a just and mild government in said seminary; and to annex reasonable penalties for neglect of duty or a breach of the laws: *Provided however*, That such ordinances, statutes, and by-laws shall never be repugnant to the constitution

Empowered to elect officers.

By-laws, Rules, &c.

Proviso.

and laws of this Commonwealth. And the said trustees shall be the visitors, overseers, and governors of said seminary; but no one shall ever be a trustee, or hold any office in said seminary, who is not a native born citizen.

May hold real and personal estate.
 SEC. 4. *Be it further enacted*, That said trustees, in behalf of said seminary, may receive and hold in fee simple, or otherwise, by gift, grant, demise, devise, bequest or otherwise, any lands, or other estate, real or personal: *Provided* the annual income thereof shall not exceed the sum of fifteen thousand dollars; and the said trustees may sell, demise, grant, or otherwise dispose of the same, and apply the proceeds, rents, and profits thereof in such way, as they may judge will be most conducive to the general interest of said seminary, and the promotion of piety and literature. And said corporation are hereby made capable in law to sue and be sued, in all actions, real, personal and mixed, and to prosecute and defend the same to final judgment and execution, by the name of The Maine Charity School, and said trustees may at any time appoint an agent to prosecute or defend such suit.

Trustees appointed.
 SEC. 5. *Be it further enacted*, That Rev. John Sawyer, Kiah Bayley, Eliphalet Gillet, William Jenks, Mighill Blood, Asa Lyman, David Thurston, Harvey Loomis, Hon. Ammi R. Mitchell, and Samuel E. Dutton, Esq. be, and they hereby are appointed and constituted the first board of trustees for said seminary, by the name of The Trustees of the Maine Charity School.

First Meeting.
 SEC. 6. *Be it further enacted*, That Samuel E. Dutton, Esq. is hereby authorised to appoint the time and place of holding the first meeting of said trustees under this act, by giving written notice thereof to each and every one of said trustees.

[Approved by the Governor, February 25, 1814.]

CHAP. CLXIII.

An Act to establish a Cotton and Wool Factory Company in the town of Frankfort.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Philo H. Washburn, Simcon

Kenney, Tisdale Dean, William M'Glathry, and Seth Kempton, together with such others as may hereafter associate with them, and their successors and assigns, be, and they are hereby made a corporation, by the name of The Frankfort Cotton and Wool Factory Company, for the purpose of manufacturing cotton and woollen cloth and yarn in the said town of Frankfort, in the county of Hancock; and for this purpose, shall have all the powers and privileges, and shall also be subject to all the duties, requirements, and disabilities prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That said corporation, in their corporate capacity, may lawfully hold and possess real estate, not exceeding twenty thousand dollars, and personal estate, not exceeding forty thousand dollars, for carrying on the manufactory aforesaid.

May hold re-
al and per-
sonal estate.

[Approved by the Governor, February 25, 1814.]

CHAP. CLXIV.

An Act making further provision for regulating Pilotage in the Port of Salem.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That whenever any person shall obtain from the Salem Marine Society, or the Salem East-India Marine Society, a certificate, that in the opinion of either of said societies, he is capable and suitable to undertake the business of pilotage, into or out of the port of Salem, and that the appointment of such person, as an inward, or outward pilot, or both, would conduce to the public service, the Governor with advice of Council be, and he is hereby empowered to grant to such person a commission, or branch, for him to exercise such pilotage as aforesaid, with power of substitution in certain cases to be therein prescribed, and the same to demand, and recall whenever either of said societies shall certify that the said

Governor to
issue com-
mission.

person is rendered incapable or improper to be continued in said business, or that in the opinion of said society, such pilot is no longer required by the public interest.

Power and
duty of Pi-
lots.

SEC. 2. *Be it further enacted*, That the pilots and their deputies, appointed by virtue of this act, shall have all the authorities, perform all the duties, and be subject to all the requirements, provided in an act, entitled "An act for regulating pilotage in several ports in this Commonwealth," made and passed on the eleventh day of July, in the year of our Lord one thousand seven hundred and eighty three, so far as the same shall apply to the particular pilotage, to which they may respectively be appointed, and the fees of the said pilots shall be determined and fixed by the Governor and Council, in manner as is provided in the fifth section of the said act; all the provisions of which act shall apply to them, except so far as may be inconsistent with the provisions of this act.

Part of act
repealed.

SEC. 3. *Be it further enacted*, That so much of the said act for regulating pilotage in several ports in this Commonwealth, as empowers the Governor with advice of Council, to appoint two pilots for the port of Salem, be, and the same hereby is repealed.

Chops of the
Harbour.

SEC. 4. *Be it further enacted*, That the societies before named may determine what shall be considered the "chops of the harbours of Salem," for the purposes stated in the seventh section of the "Act for regulating pilotage in several ports in this Commonwealth;" and report their determination to the Governor and Council, who shall publish the same for the information of all persons concerned.

[Approved by the Governor, February 25, 1814.]

CHAP. CLXV.

An Act to establish the place of keeping the Records of the Probate Court, in the county of Barnstable.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the first day of May next, the Records of the Court of Probate in the county of Barnstable, and all books and papers, belong-

ing to said court, shall be deposited and kept in the fire proof buildings erected in the town of Barnstable, within the said county ; and the Register of Probate for said county, shall at all times hereafter, there give his attendance, for a due and faithful discharge of the duties of his office.

Place of
keeping
Records, &c.

[Approved by the Governor, February 25, 1814.]

CHAP. CLXVI.

An Act to incorporate The Universalist Religious Society
in Warwick.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Joshua Atwood, Ebenezer Williams, Thomas Atwood, Nathan Atwood, Jonathan Patch, Jonathan Smith, Jonas Watts, Abner Goodell, Obadiah Bass, George Stockwell, Joseph Smith, Levi Stearns, John Stearns, Ephraim Robbins, John Gale, James Stockwell, Jacob Rich, Reuben Rich, Amory Gale, Ebenezer Bancroft, William Bancroft, Thomas Bancroft, John Smith, Eliot Rawson, Philip Atwood, and Eleazer W. Wilber, with their families and estates, be, and they are hereby incorporated into a religious society, by the name of The Universalist Religious Society in Warwick, with all the powers and privileges, and subject to all the duties and requirements, to which parishes are entitled and subjected by the constitution and laws of this Commonwealth : *Provided*, That all such persons shall be holden to pay their proportion of all monies granted and assessed in said town of Warwick, for parochial purposes, prior to the passing of this act.

SEC. 2. *Be it further enacted*, That any person belonging to said town of Warwick, being of the Universalist denomination, who may hereafter actually become a member of, and unite in religious worship with the said society, and give in his or her name to the clerk of said town, with a certificate of the minister, or clerk of said society, that he or she has actually become a member of and united in religious worship with said Universalist society,

Manner of becoming a member.

fourteen days at least before the town meeting therein held in the month of March or April, shall from and after the giving in such certificate, be considered a member of said society.

Manner of
leaving.

SEC. 3. *Be it further enacted*, That if any member of said Universalist society, shall at any time hereafter, see cause to leave the same, and unite in religious worship with the parish in which he or she may reside, and shall lodge a certificate of such his or her intention, with the clerk or minister of said Universalist society, and also with the clerk of the town, fourteen days at least before the annual town meeting to be held therein, in the month of March or April ; such person shall be considered from and after giving in such certificate, as belonging to the town or parish, in which he or she may reside, in the same manner, as if he or she had never belonged to said Universalist society : *Provided*, That every person leaving one of said religious societies, and attaching himself to the other, according to the provisions of this act, shall be holden to pay his proportion of all monies previously granted and assessed upon him for parochial purposes.

Proviso.

Justice to is-
sue warrant

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Franklin, is hereby authorised to issue his warrant directed to some suitable member of said Universalist society, requiring him to notify and warn the members thereof to meet at such time and place, as may be appointed in said warrant, to choose such officers as parishes are by law authorised to choose in the month of March or April annually.

[Approved by the Governor, February 25, 1814.]

CHAP. CLXVII.

An Act in further addition to an act, entitled “ An act establishing a Corporation by the name of The Social Insurance Company.”

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Social Insurance Company in Salem, at their annual meeting, on the third Monday

of April next ensuing, may elect in the manner prescribed in the third section of "An act establishing a corporation by the name of the Social Insurance Company," a number of Directors not exceeding seven, who may from their number elect a President, if they see fit; and who shall hold their offices until the business of the said company shall be settled, and the stock divided among the stockholders; and who shall manage and conduct the stock, property, affairs and concerns of the said company, until the same shall be wholly settled; and any vacancy arising in the number of Directors so chosen, may be filled in the manner prescribed by the said act.

Election of
officers.

Management
of Property.

SEC. 2. *Be it further enacted*, That the Directors of the said Social Insurance Company, in pursuance of a vote of the stockholders, be, and they hereby are authorised to close the concerns of the said company, and divide the capital stock, and the property and effects belonging to the said company, among the stockholders; and as soon as the affairs of the said company can be adjusted and settled, to dissolve the said corporation. And neither the said company, nor the directors on their behalf, shall have power and authority to make insurance hereafter upon vessels, money, freight, or any property, or against any risks whatever: *Provided always*, That the said company shall make no dividend of their capital stock, until all the debts of the said company shall be paid, and all out-standing risks shall be adjusted and finally settled.

Division of
property.

May dissolve
corporation.

Proviso.

SEC. 3. *Be it further enacted*, That the sixth and twelfth sections of an act, establishing a corporation by the name of The Social Insurance Company, and also such other parts of that act, and of the act in addition to the same, as are inconsistent with the provisions of this act, be, and the same are hereby repealed.

Part of act
repealed.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXVIII.

An Act in addition to an act, entitled "An act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the act, entitled "An act for the encouragement of Literature, Piety and Morality, and the useful Arts and Sciences," be, and the same is hereby so far amended, that a sum equal to the sum now paid by the President and Directors of the Massachusetts Bank, as a tax to this Commonwealth, shall be paid by the treasurer of this Commonwealth, out of the sums which may be hereafter paid into the treasury of this Commonwealth, by the several banks now incorporated, or which may hereafter be incorporated by the authority of this Commonwealth, to the several corporations, in the proportions, for the uses, and during the period specified in the first section of the act hereby amended, instead of being paid by the President and Directors of said Massachusetts Bank.

SEC. 2. *Be it further enacted,* That the President and Directors of the Massachusetts Bank aforesaid, shall pay the sum reserved to be paid to this Commonwealth, into the treasury of this Commonwealth, in the same manner as if the aforesaid act had never been passed, instead of paying the same to the several corporations, as in the said act is provided.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXIX.

An Act to incorporate The President, Directors and Company of the Bangor Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That William Rice, Joseph Leav-

itt, Samuel E. Dutton, Amos Patten, Joseph Carr, William Emerson, Abner Taylor, James B. Fisk, James Bartlett, John Emerson, and Moses Patten, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Bangor Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of the said corporation, and the prudent management of their affairs: *Provided*, such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Persons incorporated.

Time incorporated for.

Proviso.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments; the first, on the first day of January next; and the residue at such times as the President and Directors may order, giving such notice as may be provided in the by-laws of said corporation. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of thirty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: *Provided however*, That nothing herein contained shall restrain or pre-

Amount of capital stock and of each share.

May hold real estate and amount.

Proviso.

vent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount, as security for, or in payment for any debt due to the said corporation: *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars; and the number of Directors to be annually chosen, shall be five, and three may constitute a quorum for the transaction of business: *And provided also*, that the amount of debts at any time due from said bank, shall not exceed double the amount of their capital stock actually paid in.

Proviso.

Debts not to exceed 100 per cent.

Bank, where established.

Shall loan to the Commonwealth.

Proviso.

Legislative committee may examine books, &c.

SEC. 4. *Be it further enacted*, That said bank shall be established and kept in the town of Bangor.

SEC. 5. *Be it further enacted*, That whenever the Commonwealth may require it, the said corporation shall loan to the Commonwealth, any sum of money which may be required, not exceeding twenty thousand dollars, at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payments of interest, at a rate not exceeding five per cent per annum: *Provided however*, That the Commonwealth shall never, at any one time, stand indebted to the said corporation without their consent, for a larger sum than thirty thousand dollars.

SEC. 6. *Be it further enacted*, That any committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults; and if upon such examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in

this act provided, the incorporation shall thereupon be declared forfeited and void.

SEC. 7. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place, as they may see fit, by advertising the same three weeks successively in the Columbian Centinel printed in Boston, and by posting notifications in one or more public place in the town of Bangor, for the purpose of making, ordaining, and establishing such by-laws, ordinances and regulations for the orderly conducting the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose. May call a meeting.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said corporation, and of the debts due the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same. Shall transmit statement of accounts.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof. Commonwealth may subscribe.

SEC. 10. *Be it further enacted*, That the said corporation shall be liable to pay, to any bona fide holder, the original amount on any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration. Shall pay counterfeit notes.

SEC. 11. *Be it further enacted*, That the said corporation, from and after the first day of January next, shall pay by way of tax to the treasurer of this Commonwealth, for Shall pay tax to the Treasurer.

Proviso.

the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in : *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks hereafter incorporated within this Commonwealth : *And provided further*, That nothing herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Amount ap-
propriated
to loans.

SEC. 12. *Be it further enacted*, That one tenth part of the whole fund of said bank shall always be appropriated to loans, to be made to the citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to the forfeitures and right of redemption, as is by law provided in other cases.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXX.

An Act to alter and change the Names of certain Persons therein mentioned.

Names alter-
ed & chang-
ed.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the date of the passing of this act, Thomas Kendall, of Boston, in the county of Suffolk, sail-maker, shall be allowed to take the name of Thomas Boyd Kendall ; that Silas Cheney, of the same Boston, shall be allowed to take the name of Samuel S. Cheney ; that John Torrey, son of Samuel Torrey, of Boston aforesaid, shall be allowed to take the name of John Gore Torrey ; that Asa Dennet, a citizen of the

United States of America, and resident at said Boston, shall be allowed to take the name of Charles A. Dennet; that John Reed, of Boston aforesaid, son of Benjamin Reed, of Milton, in the county of Norfolk, shall be allowed to take the name of John Walter Reed; that Ebenezer Upton, Jun. of Danvers, in the county of Essex, shall be allowed to take the name of Eben Sprague Upton; that Mercy Smith, an infant daughter of James Smith, of Marblehead, in said county of Essex, merchant, shall be allowed to take the name of Mercy Abigail King Smith; that Moses Moody the 3d, of Newburyport, in the county of Essex aforesaid, merchant, shall be allowed to take the name of Moses Frederick Moody; that Lorenty Spitzenfield Colby, an infant son of John Colby, of Salisbury, in said county of Essex, shall be allowed to take the name of Edwin John Colby; that George Bartlett 2d, of Charlestown, in the county of Middlesex, son of the Hon. Josiah Bartlett, of the same place, shall be allowed to take the name of George Frederick Bartlett; that William Porter, of Charlestown aforesaid, shall be allowed to take the name of Frederick William Porter; that Timothy Burbank, of Sherburne, in said county of Middlesex, shall be allowed to take the name of Timothy Kendall; that Lysander Bascom Loveland, an orphan boy, and son of the late Epaphroditus Loveland, of Greenfield, in the county of Franklin, deceased, shall be allowed to take the name of Lysander Loveland Bascom; that Mary Gifford, of Westport, in the county of Bristol, shall be allowed to take the name of Mary Ann Wilbour Gifford; that Adam Briggs, a minor, and son of the late Susanna Harrington, of Orange, in the county of Franklin, shall be allowed to take the name of Adams Harrington; that John Rice, of Boston, in the county of Suffolk, son of the late Major John Rice, of the same Boston, shall be allowed to take the name of John H. Rice.

And the several persons before named, from the time of the passing of this Act, shall be called and known by the names which, by this act, they are respectively allowed to take and assume as aforesaid; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXI.

An Act in addition to an act, entitled “An act to incorporate Oliver Wendell and others, together with the Overseers of the Poor of the town of Boston, for the time being, by the name and title of The Trustees of John Boylston’s Charitable Donations, for the benefit and support of aged poor persons, and of orphans and deserted children.”

Corporation
authorised to
bind out poor
persons, &c.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the corporation constituted by an act, entitled “An act to incorporate Oliver Wendell and others, together with the Overseers of the Poor of the town of Boston, for the time being, by the name and title of The Trustees of John Boylston’s Charitable Donations, for the benefit and support of aged poor persons, and of orphans and deserted children,” be, and hereby are authorised and empowered to bind out in virtuous families, or to reputable trades, or useful arts or occupations, such poor persons, orphans, or deserted children, as receive, or may hereafter receive the benefit of the said Boylston’s charitable donations, until they arrive to the age of twenty-one years, in such manner as to the said corporation may seem expedient; and for this purpose shall have authority to establish any rules and regulations, and enter into any indenture or covenant relative to such objects, not repugnant to the laws of this Commonwealth, as the said corporation may deem necessary or expedient.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXII.

An Act in addition to an act, entitled “An act exempting certain goods and chattels of Debtors from attachment and execution.”

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of

this act, every citizen of this Commonwealth shall have a right to hold the following goods and chattels, altogether exempted from attachment on mesne process and execution, viz. six sheep, and two tons of hay for the use of said sheep and for the use of a cow, which is exempted from attachment by the act to which this is in addition: *Provided*, That from the first day of October to the first day of April in each year, no more than six sheep shall be exempted from attachment: *And provided also*, That the value of said sheep shall, in no case, exceed the sum of thirty dollars. Goods and Chattels exempted from attachment.

[Approved by the Governor, February 26, 1814.] Proviso.

CHAP. CLXXIII.

An Act establishing a Court of Common Pleas within and for the county of Suffolk, to be styled The Boston Court of Common Pleas.

WHEREAS, from the peculiar situation and circumstances of the town of Boston, great delays now exist in the administration of justice therein, to the great injury of the citizens thereof: Preamble.

SEC. 1. Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the 28th day of March next, there shall be a Court of Common Pleas holden at Boston, within and for the county of Suffolk, on the first Tuesdays of the months of January, March, May, July, September, and November in every year, to be styled "The Boston Court of Common Pleas;" which Court shall be holden by one substantial and discreet person, learned in the law, who shall be appointed by the Governor and Council, and qualified according to the constitution, and hold his office during good behaviour; which Court, so constituted, shall have jurisdiction of all causes of a civil nature, now cognizable by the Circuit Court of Common Pleas, whether original or appellate; and the Judge of the said Court shall receive the same fees and compensation for his services, as Judge of the said Court, as the three Justices of the Circuit Court of Court established.

Name.

Jurisdiction.

Compensation of Justices.

Proviso.

Common Pleas for the Middle Circuit now receive for their services within the county of Suffolk, and in the same manner: *Provided* nothing in this act shall be so construed as to affect the original or appellate jurisdiction given by law to the Supreme Judicial Court, to the Municipal Court for the town of Boston, and to the Court of Sessions holden within the county of Suffolk.

Appeal may
be made.

SEC. 2. *Be it further enacted*, That the person to be appointed as aforesaid, shall also have original and concurrent jurisdiction of all civil actions arising in the county of Suffolk, under the sum of twenty dollars, in the same manner and with like powers as Justices of the Peace within said county of Suffolk now have jurisdiction, and shall hold a Court, to be styled the Town Court, for the summary trial, without jury, of all such last mentioned actions, on the Wednesday of every week in the year. And any party aggrieved at the judgment of said Town Court, may appeal therefrom to the next regular term of the said Boston Court of Common Pleas; and shall, before his appeal is allowed, recognize with a surety or sureties, to be approved by the Court, in such reasonable sum as the Court shall order, to pay all intervening damages, and to prosecute his appeal with effect; in which case such actions shall be tried in the same manner as if originally commenced there; and no further or other appeal or review shall be had on such actions, except such as by law is now allowed, in similar cases, in the Circuit Court of Common Pleas, in the several counties within this Commonwealth.—But questions of law may be reserved by the said Judge, and the party supposing himself aggrieved by any opinion, decision or judgment, may file his exceptions thereto, and the same proceedings shall be had thereon at the Supreme Judicial Court, which shall be holden next after in the same county, as are provided by law, when the Supreme Judicial Court is holden by one of the Justices thereof.—And the fees in all actions originally commenced in said Town Court, shall be the same as by law are now taken and received by Justices of the Peace in the trial of civil actions; and the original papers in such actions shall be used on the appeal, in the same manner as if such actions had been originally brought to the Boston Court of Common Pleas.—And the said Judge shall have power, from time to time, to appoint a

T. es.

clerk to attend him and record all his proceedings as Judge of the Boston Court of Common Pleas, which clerk shall be under oath to the faithful performance of the duties of his office, and shall hold his office during the pleasure of the Supreme Judicial Court: *Provided however,* Proviso. That the present clerks of the Supreme Judicial Court and the Circuit Court of Common Pleas, within the county of Suffolk, shall be the joint clerks of the said Boston Court of Common Pleas, during the pleasure of the Judge thereof. And the said Judge of the said Boston Court of Common Pleas shall have power, from time to time, to appoint a clerk being commissioned as a Justice of the Peace for said county, to attend him in the said Town Court, who shall be styled the the Recorder of the Town Court, and whose duty it shall be to record all proceedings of said Court; and in case of the death or absence of the said Judge of the said Town Court, it shall be the duty of said Recorder, and he is hereby fully empowered, to hold the said Court, and to transact the business thereof in the same manner as the said Judge of the said Town Court might, could, and ought to do, if he were personally present to hold the same; which Recorder of said Town Court shall be under oath to the faithful performance of the duties of his office, and shall hold his office during the pleasure of said Judge; and for a compensation for his services as clerk, as aforesaid, shall receive one third part of the fees now by law taxed by Justices of the Peace in civil actions, and the residue thereof shall be received by the Judge of said Town Court, for his compensation therein. Duty of the Recorder. And the said Judge of the said Court, and the Recorder in the absence of said Judge, shall have power by proclamation of the Sheriff of the said county of Suffolk, or of his deputy, or of any officer attending on said Court, to adjourn the same from time to time, as necessity may require. Compensation of.

SEC. 3. *Be it further enacted,* That the Judge of the said Boston Court of Common Pleas shall have power to make any orders for the regular administration of justice in the same, and likewise in the said Town Court, as shall not be inconsistent with the constitution and the laws of the Commonwealth; and likewise to adjourn the said Court from time to time, as may be necessary for the public good: and when it shall so happen that the Judge Power of the Judge.

Provision in
case of ab-
sence or
death.

Of writs and
processes.

Actions,
suits, &c.

Parties, ju-
rors, &c.

said Boston Court of Common Pleas shall be deceased, or shall be providentially detained from attending at the time and place at which said Court by law, or by any previous adjournment, was to have been held, the said Court may be adjourned by the Sheriff of the county of Suffolk, or his deputy, unto a further day, and so from time to time, until a new Judge shall be appointed, or the said Court be convened, and shall cause publication thereof to be made in writing in two or more of the most public places in the county of Suffolk, and in one of the public newspapers printed in the town of Boston. And all writs and processes issuing from the said Boston Court of Common Pleas, and the said Town Court, shall be in the name of the Commonwealth of Massachusetts, and bear test of the Judge of said Courts, unless he be a party, (in which case the same shall be sued out from the Clerk's office of the Supreme Judicial Court, and be made returnable to said Court,) and be under the seals of said Courts, and signed by the clerks of said Courts respectively; and all writs and processes from said Boston Court of Common Pleas shall have force, be obeyed and executed in every county within the Commonwealth, and all writs and processes from the said Town Court shall have force, be obeyed and executed, throughout the county of Suffolk.

SEC. 4. *Be it further enacted*, That all actions, suits, matters and things whatsoever, which may be pending in the Circuit Court of Common Pleas, within the county of Suffolk, on the twenty-eighth day of March, in the year of our Lord one thousand eight hundred and fourteen, and all writs and processes of every kind whatsoever, returnable to said Circuit Court, and which would have had day therein if this act had not been passed, shall be sustained, returnable to, and have day in, and be fully acted upon by the said Boston Court of Common Pleas, at the first term thereof; and all parties, jurors, witnesses and other persons, in any manner held or bound to appear in the Circuit Court of Common Pleas, which would have been holden in and for the said county of Suffolk, on the last Tuesday of March, in the year of our Lord eighteen hundred and fourteen, if this said act had not been passed, shall be held and bound under the same penalties, to appear in the said Boston Court of Common Pleas, at the first term thereof. And the said Boston Court of

Common Pleas, shall grant execution to carry into effect any judgment heretofore rendered in the Circuit Court of Common Pleas within and for the county of Suffolk, in the same manner as the said Circuit Court of Common Pleas might and ought to have done, if this act had not been passed.

SEC. 5. *Be it further enacted*, That so much of the act, entitled an act establishing Circuit Courts of Common Pleas within this Commonwealth, as relates to their jurisdiction within the county of Suffolk ; and all other acts and parts of acts, which come within the purview of this act, be repealed from and after the twenty-eighth day of March, in the year of our Lord eighteen hundred and fourteen : *Provided however*, That nothing herein contained shall prevent the Governor as aforesaid, from appointing a person to be the Judge of the said Boston Court of Common Pleas, as soon after the passage of this act as he shall see fit.

Act repealed

Proviso.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXIV.

An Act further regulating Appeals and Reviews.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That any party aggrieved at the judgment of any Circuit Court of Common Pleas, or Court of Common Pleas, hereafter to be rendered in any action, originally commenced in said court, wherein any issue in law or in fact has been or may be joined, may appeal therefrom to the next Supreme Judicial Court, to be holden for the county where such judgment may be rendered ; and the party so appealing, before such appeal be allowed, shall recognize with sufficient surety or sureties to the adverse party in a reasonable sum to prosecute his said appeal, and to pay all such costs as may arise in said suit after said appeal, and no execution shall issue upon the judgment appealed from ; and in case the party appealing shall neglect to enter his appeal, the Court appealed to may, upon complaint, proceed to affirm the judgment of the Circuit Court of Common Pleas, or Court of Common

May appeal.

Pleas, with additional damages and costs, and in all cases the party prevailing on said appeal shall be entitled to single costs only.

Costs

SEC. 2. *Be it further enacted*, That in all cases of review which may hereafter be prosecuted, the party in whose favour judgment may be rendered on said review shall be entitled to either single or double costs, as the court before which such review may be had shall adjudge.

Act repealed

SEC. 3. *Be it further enacted*, That all acts and parts of acts, inconsistent with the provisions of this act, be, and the same are hereby repealed.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXV.

An Act to incorporate The President, Directors and Company of the Dedham Bank.

Persons in-
corporated.Time incor-
porated for.

Proviso.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Elijah Crane, Willard Gay, George Ellis, Jeremiah Baker, Horatio Townsend, Samuel Richards, Samuel Haven, John Guild, Jabez Chickering, Martin Marsh, George Dixon, Ebenezer Fisher, the second, and James Talbot, their associates, successors and assigns, shall be, and hereby are created a corporation, by the name of The President, Directors and Company of the Dedham Bank, and shall so continue until the first Monday of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any courts of record, or any place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations, as to them shall appear necessary for the government of the said corporation, and the prudent management of their affairs: *Provided*, such by-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the

said corporation shall always be subject to the rules, restrictions, limitations and provisions herein prescribed.

SEC. 2. *Be it further enacted*, That the capital stock of said corporation shall consist of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments; the first, on the first day of May next; the second on the first day of November next; the third, on the first day of May next after; and the fourth, on the first day of November next after. And the stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock, and the profits thereof; which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain, to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of thirty thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting on banking principles, on such security as they shall think proper: *Provided however*, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate in mortgage, or on execution, to any amount, as security for, or in payment of any debt due to the said corporation: *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the capital subscribed and actually paid in, and existing in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

Amount of capital stock and of each share.

May hold real estate and amount.

Proviso.

SEC. 3. *Be it further enacted*, That the rules, limitations and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank," shall be binding on the bank hereby established: *Provided*, That the bond required to be given by the Cashier, shall be given in the sum of twenty thousand dollars; that the number of Directors, to be annually chosen, shall be five, and three may constitute a quorum to transact business: *And provided also*, that the amount of debts at any

Proviso.

time due from said bank, shall not be more than double their capital stock actually paid in.

Bank, where established. SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Dedham.

Shall loan to the Commonwealth. SEC. 5. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth, any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or any shorter period, at the election of the Commonwealth, with the annual payment of interest, at the rate of five per centum per annum :
 Proviso. *Provided however*, that the Commonwealth shall never, at any one time, stand indebted to the said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Legislative committee may examine books, &c. SEC. 6. *Be it further enacted*, That any committee, specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said corporation, and shall have free access to all their books and vaults ; and if upon such examination it shall be found, and after a full hearing of said corporation thereon, be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the incorporation may thereupon be declared forfeited and void.

Shall, transmit statement of accounts. SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth for the time being, once in six months at least, and as much oftener as they shall require, accurate and just statements of the amount of the capital stock of said corporation, and of the debts due to the same ; of the monies deposited therein ; of the notes in circulation ; and of the gold, silver and copper coin, and the bills of other banks on hand ; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath, before some person competent to administer the same.

Commonwealth may subscribe. SEC. 8. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to

be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established, as to the management thereof.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first day of May next, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days of each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been paid in: *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks hereafter incorporated within this Commonwealth: *And provided further*, That nothing herein contained shall be construed to impair the right of the Legislature to lay a tax or excise upon any bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

Shall pay tax to the Treasurer.

Proviso.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of the said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption, as is by law provided in other cases.

Amount appropriated to loans.

SEC. 11. *Be it further enacted*, That said corporation shall be liable to pay, to any bona fide holder, the original amount on any note of said bank, altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay counterfeit notes.

SEC. 12. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place, as they may see fit, by advertising the same three weeks successively in the Dedham Gazette, printed at Dedham, for the purpose of making, ordaining, and establishing

May call a meeting.

such by-laws, ordinances and regulations for the proper conducting the affairs of said Corporation, as the stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall think proper to choose.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXVI.

An Act in addition to an act, entitled “An act in addition to an act granting a Lottery for the purpose of completing the Locks and Canals at Amoskeag Falls, in the State of New-Hampshire.

Preamble.

WHEREAS by the provisions of an act, entitled “An act in addition to an act, entitled an act granting a Lottery for completing the Locks and Canals at Amoskeag Falls in the State of New-Hampshire,” the time for which it was granted has expired, and the sum provided to be raised thereby has not been obtained :

Further time
allowed.

Proviso.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That further time be granted sufficient to sell and draw six classes of said lottery, of ten thousand tickets in each class, at five dollars per ticket : *Provided however,* That no ticket shall be issued by the managers of said lottery, until the expiration of six months from and after the passing of this act.

Money, how
appropriat-
ed.

SEC. 2. *Be it further enacted,* That the managers of said lottery, to be appointed by virtue of this act, be, and they are hereby authorised and directed to pay unto Samuel Swan, Esq. from the first monies that shall be raised as aforesaid, the sum due to him from said lottery, as settled and reported by a board of commissioners for that purpose appointed, by an act of the Legislature, passed on the sixth day of March, in the year of our Lord eighteen hundred and ten, and the interest thereon from the time of said settlement ; and that they pay the remainder of the sum they shall raise as aforesaid, exclusive of the incidental expenses thereof, to the agent for completing the locks and canal aforesaid, to be applied to said object.

SEC. 3. *Be it further enacted,* That his Excellency the Governor be, and he is hereby authorised to appoint three managers of the future classes in said lottery hereby granted, according to the mode prescribed in the act aforesaid, passed March fourteenth, in the year of our Lord eighteen hundred and six; and he is also authorised to call them to a settlement of their accounts, whenever he shall deem proper, and to proceed with them in the way appointed in the act passed for such purposes, on the first day of March, in the year of our Lord eighteen hundred and ten.

Governor to
appoint
Managers.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXVII.

An Act incorporating The Calvinistic Congregational Society in Sandwich, in the county of Barnstable.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That William Fessenden, Daniel Perry, Silvanus Gibbs, Bethuel Bourne, Allen Nye, John Dillingham, Jun. Heman Adams, Lot Adams, William Atkins, Nathan Bourne, Jun. Ezra L. Bourne, John Bourne, Job Bourne, Charles Bourne, Benjamin Burgess, Jacob Burgess, Anson Burgess, Samuel Blossom, Joseph Blossom, Benjamin Blossom, Uriah Butler, William Bassett, William Bassett, Jun. Charles Bassett, Joshua Backus, Heman Backus, Ellis Blackwell, Joseph Blackwell, Samuel Blackwell, Benjamin Blackwell, Samuel Chadwick, James Chadwick, James Coleman, James Coleman, Jun. Kenelm Crocker, George Cyprus, Nathaniel Covell, Ebenezer Covell, Bartholomew Cushman, Charles De Launey, Ezra Dillingham, Barnabas Ewer, Bartlett Ellis, Bethiah Ellis, widow, Seth Ellis, Nathan Ellis, Gideon Ellis, Gershom Ellis, James Ellis, Jerusha Ellis, widow, Benjamin Ellis, Jesse Ellis, Hepzibah Ellis, widow, Ephraim Eldridge, Josiah Eldridge, Joseph Fuller, Silvanus Fish, Chipman Fish, Anselm Fish, Braddock Fish, Simeon Fish, Theodore Fish, Isaiah Fish, Josiah Fish, Asa Fish, Ephraim Fish, Jesse Fish, David Fish, James Fish, James Fish, Jun. Prince Fish, Silas Fish, John Fish, &c.

Persons in-
corporated.

Warren Fish, Thomas Fessenden, Nathaniel Freeman, Russell Freeman, George W. Freeman, Charles Gibbs, Rufus Gibbs, Caleb Gibbs, Edward B. Gibbs, Rebecca Gibbs, widow, David Gibbs, Luther Goodspeed, Timothy Goodspeed, Jun. Alden Gifford, Levi Gifford, Thomas Hamlin, Seth Hamlin, Nathaniel Hamlin, Lemuel Hamlin, John Hamlin, Benjamin Hamlin, Ellis Howland, William Halway, Stephen Hoxie, James Insley, Silvanus Jones, Abraham Keen, John Keen, Abraham Landers, David Landers, Anselm Lumbert, Thomas Lumbert, Josiah Meiggs, Seth Meiggs, Asa Meiggs, Jonathan Meiggs, Matthew Meiggs, John Moriarty, William Marstin, Joseph Nye, Moses Nye, Ebenezer Nye, Lemuel Nye, Herman Nye, Peter Nye, Prince Nye, Prince Nye, Jun. Josiah Nye, John Nye, Peleg Nye, Joshua Nye, Jun. Paul Nye, Samuel T. Nye, Bethuel Nye, George B. Nye, Edward Nye, Gilbert Nye, James Percival, Freeman Percival, Sarah Percival, widow, Timothy Percival, Othniel Omans, Kimball Perry, Elisha Perry, Elisha Perry, Jun. John Perry, Jun. John Perry, 3d. Elijah Perry, Mary Perry, widow, James Perry, William Perry, Bathsheba Perry, widow, John Pope, Lewin Pope, Thomas Phinney, Clark Swift, Ellis Swift, James Stewart, Thomas Smith, Bethiah Smith, Warren Smith, Deborah Smith, widow, Thomas H. Tobey, James Tobey, Timothy Tobey, Rebecca Tobey, Prince Tupper, and Amariah Wilcox, inhabitants of the town of Sandwich, in the county of Barnstable, with their families and estates, together with such others as may hereafter join them, in manner hereafter prescribed, and their successors, be, and they are hereby incorporated into a society, by the name of The Calvinistic Congregational Society in Sandwich, with all the powers and privileges, rights and immunities which other parishes and religious societies are by law and constitution entitled to, and subject to the same duties : *Provided*, That the persons incorporated as aforesaid, shall be holden to pay to the first precinct in said town, to which they belonged, all taxes voted and assessed, and not paid before the passing of this act, excepting such of them as may have received and filed certificates from a committee of said society, that they had become members thereof, shall not be holden to pay any taxes voted or assessed since they have so received and filed such certificates.

SEC. 2. *Be it further enacted*, That any person belonging to the said first precinct, who may be desirous of becoming a member of the said Calvinistic Congregational Society, and shall give in to the clerk of said first precinct, a certificate signed by the clerk of the said Calvinistic Congregational Society, that he or she has actually become a member of said society, any time within two years from the passing of this act, shall from and after giving in such certificate, with his and her polls and estates, be considered a member of said society ; and if any member of said society shall wish to leave the same, and join the said first precinct, and shall leave with the clerk of said society, a certificate signed by the clerk of said first precinct, that he or she has become a member of said precinct, at any time within two years from the passing of this act, such persons shall, from the time of leaving such certificate, be considered as a member of said precinct, and all young persons living in said precinct, arriving to the age of twenty-one years, and all persons coming to reside and dwell in said precinct, shall have and be allowed the term of one year from the time of their so arriving to the age of twenty-one years, or coming to dwell in said precinct, to join said Calvinistic Congregational Society : *Provided however*, That all such persons shall signify their determination of the same, and proceed therein in the manner above pointed out in this section : *And provided also*, That in all cases, the person or persons changing their relation to said society or precinct, shall be held to pay all taxes assessed upon them by the precinct or society where they belonged previous to such removal.

Manner of
becoming a
member.

Manner of
leaving.

Proviso.

SEC. 3. *Be it further enacted*, That Nathaniel Freeman. Esq. be, and he hereby is authorised to call the first meeting of said Calvinistic Congregational Society in Sandwich.

First Meet-
ing.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXVIII.

An Act to increase the number of terms of the Municipal Court of the town of Boston, and to compensate the Judge thereof.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That in future the said Municipal Court shall be holden the first Monday of every month, with power to adjourn as originally provided for in the act of March the fourth, in the year of our Lord one thousand eight hundred, which established said court; and that in addition to the salary allowed the Judge of said court by the town of Boston, there shall be paid to him, out of the treasury of this Commonwealth, every quarter of a year, the sum of one hundred and eighty-seven dollars and fifty cents—the first quarter to be considered as having commenced the first day of January last; and said additional allowance to be continued so long as the act of the twenty-seventh of February, in the year of our Lord one thousand eight hundred and thirteen, enlarging the jurisdiction of said court, shall remain unrepealed; and the said Judge shall be obliged by law to perform the duties therein required.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXIX.

An Act making further allowance to the Judge and Register of Probate, for the county of Oxford.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That an act to make further allowance to the Judge of Probate for the county of Oxford, for his services, passed on the fifth day of March, in the year of our Lord one thousand eight hundred and ten, be, and the same is hereby repealed.

Terms increased.

Additional salary allowed to Judge.

Act repealed.

SEC. 2. *Be it further enacted*, That the treasurer of the county of Oxford be, and he is hereby authorised and directed to pay the said Judge of Probate, for the time being, such sum as, together with the legal fees which the said Judge has received or may have been entitled to receive, shall amount to the sum of two hundred dollars annually : *Provided*, that the said Judge shall keep an exact account of all the fees which he has received, or shall have been entitled by law to receive, in said office ; and shall present such account, attested by the Register of Probate, to the treasurer of said county, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

Salary of the Judge.

Proviso.

SEC. 3. *Be it further enacted*, That the treasurer of said county of Oxford be, and he is hereby authorised and directed to pay to the Register of Probate, for the time being, of said county of Oxford, such sum as, together with the legal fees which the said Register may have received or been entitled to receive, shall amount to the sum of three hundred dollars annually : *Provided also*, that the said Register shall keep an exact account of all the fees which he may have received, or have been entitled to receive, for his services in said office ; and shall present such account, attested by said Judge of Probate, to the treasurer of said county, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

Salary of the Register of Probate.

Proviso.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXX.

An Act in addition to an act to incorporate The Wiscasset Marine Insurance Company.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the ninth section of the act, entitled "An act to incorporate The Wiscasset Marine Insurance Company," be, and the same is hereby so far repealed, as that the first sum of fifty dollars on each share in said company may be paid at any time before said company actually take any risk, or open and subscribe a

Section in part repeal'd

policy of insurance ; and that the remaining sum due on each share shall be paid within twelve months from the time of the first payment aforesaid : *Provided*, that said first payment shall be made within five years from and after the passing of this act.

Proviso.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXXI.

An Act to establish a Free School in Township number six, in the eighth range, north of the Waldo Patent, in the county of Hancock, by the name of The Hancock Free School.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That there be, and hereby is established in the township number six, in the eighth range, north of the Waldo Patent, in the county of Hancock, a Literary Seminary, by the name of The Hancock Free School, for the purpose of promoting piety and virtue, and for the education of youth, in such languages, and in such of the liberal arts and sciences, as the trustees thereof shall from time to time judge most useful and expedient.

Seminary
established.

SEC. 2. *Be it further enacted*, That the Rev. Hezekiah May of Brownville, Rev. John Sawyer of Garland, Rev. Hervey Loomis of Bangor, Moses Greenleaf, Esq. of Williamsburgh, Charles Hammond, Esq. of Bangor, Jacob McGaw, Esq. of Bangor, and Ebenezer Greenleaf, Esq. of Williamsburgh, be, and hereby are nominated and appointed trustees of said Free School ; and they are hereby incorporated into a body politic, by the name of The Trustees of Hancock Free School, and they and their successors shall be and continue a body politic and corporate by the same name forever.

Trustees ap-
pointed.

SEC. 3. *Be it further enacted*, That the said trustees may have a common seal, which they may break, alter and renew from time to time, as they see fit ; and they may sue and be sued in all actions, and prosecute and defend such actions to final judgment and execution, and may appoint any agent or agents to prosecute or defend such

Powers.

suits; they may also elect and appoint all such officers and instructors as they may from time to time judge necessary, may fix the tenure of their respective offices, define their respective powers and duties, may vacate the place of any trustee, officer or instructor, when, in their opinion, by reason of age, incompetency or any other cause, he shall have become incapable of discharging the duties of his office, and may fill all vacancies which may happen; they may also, from time to time, fix the times and places for the meetings of said corporation, the mode of notifying the members thereof, and may prescribe, establish, and alter from time to time, such reasonable statutes and by laws, as they shall judge will best promote the objects of their incorporation, and may annex such reasonable penalties to the neglect of duty, and breach of statutes and by-laws, as they shall judge proper: *Provided*, that such statutes, by-laws, and penalties, shall not be repugnant to the constitution and laws of this Commonwealth.

Empowered
to elect officers.

By-laws,
Rules, &c.

Proviso.

SEC. 4. *Be it further enacted*, That all the lands, monies, or other property already subscribed, or which may hereafter be given, assigned, or transferred to the said trustees, for the use of said Free School, shall be received and held by them in trust for that use; and said trustees, in behalf of said Free School, may also receive and hold in fee simple, by gift, grant, bequest or otherwise, any other land or estate, real or personal: *Provided*, that the annual income of such lands or real estate shall not exceed the sum of seven thousand dollars, and that the annual income of such personal estate shall not exceed the sum of five thousand dollars; and the said trustees may sell and dispose of the same, and apply the proceeds, rents and profits thereof in such way, as they may deem most conducive to the diffusion of piety, virtue, and literature, and best promote the general interest of their institution.

May hold real
and personal
estate.

SEC. 5. *Be it further enacted*, That the number of said trustees shall never be more than fifteen nor less than seven, five of whom shall be a quorum for the transacting of such business as may regularly come before them: and any Justice of the Peace for the county of Hancock is hereby authorised, upon application of any of said trustees, to issue his warrant, fixing the time and place of the first meeting of said trustees, for such purposes as shall be expressed in said application, which warrant shall be directed to some

Number of
Trustees
limited.

one of said trustees, who shall give personal notice thereof, either verbally or in writing, to each of the trustees, at least four days before such meeting.

Duties of the
Trustees.

SEC. 6. *Be it further enacted*, That it shall be the duty of said trustees, within two years from the passing of this act, to give satisfactory evidence to the treasurer of this Commonwealth, that the sum of three thousand five hundred dollars has been duly paid and secured to the said corporation, and that the same is placed at the disposal of the said trustees, for the benefit of this institution, otherwise this act shall be declared to be null and void.

SEC. 7. *Be it further enacted*, That nothing in this act shall be considered as holding out encouragement to the trustees of this Free School, of the future bounty of the Legislature.

[Approved by the Governor, February 26, 1814.]

CHAP. CLXXXII.

An Act concerning Suits in behalf of the Commonwealth.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That in all civil actions, in which the Commonwealth shall be party, whether by *scire facias* or other suit or process, the costs which may be taxed in favor of the Commonwealth, and which may be paid before any execution shall issue, shall be paid to the clerk of the Court in which said suit shall be pending, and by him immediately paid over without any deduction to the treasurer of the county, who shall account for and settle the same with the State Treasurer, in the same manner as is provided by law for the settlement and adjustment of accounts by County Treasurers of fines, penalties and forfeitures, and costs in criminal prosecutions.

Costs to be
paid to clerk

SEC. 2. *Be it further enacted*, That no fees for travel shall be allowed and taxed in any bill of costs in any such suit as is described in the foregoing section, in which the Commonwealth shall be party.

Fees.

[Approved by the Governor; February 28, 1814.]

CHAP. CLXXXIII.

An Act to prevent the destruction of the Fish called Alewives and Shad, in Charles River.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, if any person or persons shall place or set any seine or net, or set up, erect, or make any weares, or place any other incumbrance whatsoever (mill dams excepted) in or across Charles River, for the straitning, obstructing, or stopping the free passing of the fish called shad and alewives, up and down said river, they shall severally forfeit and pay the sum of fifty dollars for each and every offence ; one half of which shall be to the use of the town or towns, within whose limits the offence is committed, and the other half to the use of him or them that shall complain or prosecute therefor—or any town may prosecute by their fish committee.

Penalty for obstructing passage.

SEC. 2. *Be it further enacted*, That if any person or persons shall draw any seine or net, to take any of the fish aforesaid within said river, or in any other way take any of said fish, on any other days than Monday, Wednesday and Friday in each week, every person so offending shall forfeit and pay the sum of twenty dollars for each and every offence, to the use as aforesaid ; and all forfeitures incurred by any breach of this act may be recovered by information, or by action on the case, before any court proper to try the same.

Shall not set seine, &c.

SEC. 3. *Be it further enacted*, That all parts of any acts relating to the fishery in said river, inconsistent with this act, be, and the same are hereby repealed.

Former acts repealed.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXIV.

An Act in addition to an act, entitled "An act declaring and confirming the incorporation of the Proprietors of the New South Meeting-house in Boston."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That all or any part, so that it be not less than one half, of all monies raised by the Proprietors of the New South Meeting-house in Boston, for the purpose mentioned in the fourth section of an act, entitled "An act declaring and confirming the incorporation of the Proprietors of the New South Meeting-house in Boston," may be assessed by the committee and assessors of the said proprietors jointly, or by the major part of them, upon the several proprietors of pews in said meeting-house, according to the relative value of the said pews, regard being had to their situation and convenience, if the said proprietors vote so to do, any thing in the act aforesaid to the contrary notwithstanding.

Assessment
of taxes.

SEC. 2. *Be it further enacted,* That the said proprietors be, and they are hereby empowered to purchase, take and hold certain land, adjoining that on which their meeting-house now stands, for the more commodious scite of a new meeting-house, as to them shall seem best, any thing in the act aforesaid to the contrary notwithstanding.

May pur-
chase estate.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXV.

An Act to incorporate The Evangelical Missionary Society in Massachusetts.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Rev. Ezra Ripley of Concord, Joseph Allen, Esq. of Worcester, and Thomas W. Ward, Esq. of Shrewsbury, with those who have or may hereaf-

Persons in-
corporated.

ter associate with them, and their successors, be, and hereby are incorporated and made a body politic, for the purposes of furnishing the means of christian knowledge and moral improvement, by the distribution of pious and religious books and tracts, by aiding and supporting school-masters, and by sending missionaries among the inhabitants of our own country, who are destitute of religious knowledge, or where such means are poorly provided, by the name of The Evangelical Missionary Society in Massachusetts; and the society aforesaid shall have perpetual succession, and may have a common seal, which it may be lawful for them to change, break, alter, and make new at pleasure; and may purchase and receive, by gift or devise, lands, tenements, and real estate of any kind, and the same hold in fee simple, or less estate; and also subscriptions, donations, and bequests of money, or any other personal estate, the annual income of which shall not exceed the sum of ten thousand dollars; and all grants, donations, subscriptions, devises and bequests, made to said society, shall be improved in such manner, as the trustees of said society shall judge most conducive to answer the designs of the institution.

May hold real and personal estate.

SEC. 2. *Be it further enacted*, That the said society may annually elect by ballot, by a majority of the members present, a President, Vice-President, a Treasurer, a Recording and Corresponding Secretary, and such number of Trustees, as they may think proper, (not less than seven) and such other officers as they may determine to be necessary; and may at their first meeting, under this corporation, by vote of a majority of the members present at said meeting, adopt such constitution or system of rules and by-laws, as they shall think necessary for the conducting and executing the business of said society, and for the most effectually securing the objects of their institution; which constitution, or system of by-laws, shall be for the government of said society, and shall not be altered at any subsequent meeting, but in the manner therein pointed out: *Provided*, such rules and by-laws be not repugnant to the constitution and laws of this Commonwealth.

Election of officers.

Proviso.

SEC. 3. *Be it further enacted*, That the society aforesaid, shall at all times have power to sue, and may be sued, and may defend, and shall be held to answer by the name, stile, and title aforesaid; and if it should so happen, that

Powers.

said society shall become seized of lands and tenements, it shall be lawful, by deed, under the hand and seal of their President, for the time being, to sell and convey the same :
Provided, such sale shall be made and concluded on by the trustees of said society.

Proviso.

Duty of the
Treasurer.

SEC. 4. *Be it further enacted*, That particular accounts of such funds, and the disposition thereof, shall be exhibited by the treasurer at the stated annual meeting of said society, a committee of said society having first examined and certified the same to be true ; and fair entries shall be made in proper books provided for that purpose, of all donations made to said society, and of all the estate, both real and personal, belonging to the same ; and said books shall be brought to the annual meetings, and be there open for the inspection of the members.

First meet-
ing.

SEC. 5. *Be it further enacted*, That Joseph Allen, Esq. be, and he is hereby authorised to call the first meeting of said society, in their corporate capacity, by publishing a notification in one newspaper printed in Worcester, and in one newspaper printed in Boston, thirty days before the time therein appointed.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXVI.

An Act continuing The Massachusetts Charitable Mechanic Association.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the Massachusetts Charitable Mechanic Association, incorporated by an act, entitled "An act to incorporate Jonathan Hunnewell and others, into a society, by the name of The Massachusetts Charitable Mechanic Association," shall and may remain and continue a corporation, with all the legal powers and privileges, the same now enjoys, for and during the term of ten years from and after the time limited for the duration of said corporation by the act aforesaid.

Act continu-
ed.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXVII.

An Act incorporating certain persons for the purpose of building a Bridge over Saco river, in the town of Fryeburg, near the dwelling-houses of Oliver Knight and Henry Gordon, Jun.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That Robert Page, John Stephens, Jun. and Henry Y. B. Osgood, with all those who have associated for the purpose, together with all those who shall hereafter become proprietors in said bridge, shall be a corporation and body politic, under the name of The Proprietors of Fryeburg Bridge ; and by that name may sue and prosecute, and may be sued and prosecuted to final judgment and execution, and do and suffer all other acts and things, which bodies politic may and ought to do and suffer ; and that said corporation shall have full power and authority to make, have, and use a common seal, and the same to break, alter and renew at pleasure.

Persons incorporated.

SEC. 2. *Be it further enacted,* That the said Robert Page, John Stephens, Jun. and Henry Y. B. Osgood, or any two of them, may, by putting up advertisements at the South and Central Meeting-houses, in said Fryeburg, warn and call a meeting of said proprietors, to be holden at any suitable time and place in said Fryeburg, after the expiration of fifteen days from the time of posting up said advertisements ; and the said proprietors, by a vote of the majority of those present, or represented at said meeting, (accounting and allowing one vote to each single share, in all cases ; *provided however,* that no one proprietor shall be allowed more than ten votes,) shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office ; and the said proprietors, by a vote of a majority of those present, or represented at said meeting, shall have power to transact any business, for the benefit of said corporation : *Provided,* it be not repugnant to the constitution or laws of this Commonwealth ; and this act, and all rules, regulations and votes of said corporation, shall be fairly and truly recorded by the clerk, in a book or books for

Method of calling a meeting.

Proviso.

Proviso

that purpose ; and no person shall appear and vote at such meetings, as the representative of another, without producing a writing for that purpose, signed by the person represented, which writing shall be filed by the clerk of said corporation.

Empowered
to build a
Bridge.

SEC. 3. *Be it further enacted*, That the said proprietors be, and they hereby are permitted and authorised to erect a bridge over the Saco river, in said Fryeburg, from the western bank of said river, near the dwelling-house of Oliver Knight, to the eastern bank thereof, near the dwelling-house of Henry Gordon, Jun.

How to be
built.

SEC. 4. *Be it further enacted*, That the said bridge shall be well built, of good and suitable materials, and be well covered with plank, or timber, suitable for such bridge, with sufficient railing on each side, for the safety of passengers, and the same shall be kept in good, safe and passable repair.

Rates of toll.

SEC. 5. *Be it further enacted*, That for the purpose of reimbursing said proprietors, the monies by them expended, or that may hereafter be expended in building and repairing said bridge, a toll be, and is hereby granted and established on said bridge, for the benefit of said proprietors, according to the rules following, that is to say : for each foot passenger, one cent ; for each horse and rider, four cents ; for each horse and chaise, chair, or sulkey, drawn by one horse, ten cents ; for each sleigh drawn by one horse, four cents ; for each sleigh drawn by two horses, six cents ; for each coach, phaeton, or curricule, twenty cents ; for each cart or waggon, sled, or carriage of burthen, drawn by one or two beasts, six cents ; for neat cattle and horses, other than those ridden or in carriages, or teams, one cent each ; for sheep and swine, at the rate of six cents the dozen ; and to each team, one person and no more shall be allowed as a driver to pass said bridge free of toll : *Provided*, That the rates of toll hereby established, shall at all times be subject to the future regulations of government.

Proviso.

Sign board.

SEC. 6. *Be it further enacted*, That said proprietors, at the place or places where the said toll may be received, shall erect, and keep constantly exposed to view, a sign board, with the rates of toll of all the tollable articles hereby established, fairly and legibly written thereon ; and at all times when the person employed to receive said

toll, shall not attend his duty, the gate or gates of said bridge shall be left open.

SEC. 7. *Be it further enacted*, That if said proprietors shall neglect for the space of two years, from the passing of this act, to build and erect said bridge, then this act shall be void and of no effect. Penalty for neglect.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXVIII.

An Act for altering the times and places of holding the Circuit Courts of Common Pleas and Courts of Sessions, and for establishing a new district for the Registry of Deeds in the county of Hancock, and other purposes.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That from and after the first day of March next, the times and places for holding the several terms of the Circuit Courts of Common Pleas and Courts of Sessions, in and for the county of Hancock, shall be, and hereby are established as follows, viz. :—At Castine, on the second Tuesday of April, and first Tuesday of November ; and at Bangor, on the first Tuesday of January, and second Tuesday of July, in each and every year. Times and places for holding court.

SEC. 2. *Be it further enacted*, That from and after the said first day of March next, all laws heretofore made for establishing the times and places of holding the terms of the Circuit Court of Common Pleas and Courts of Sessions, within and for the county of Hancock, shall be, and the same are hereby repealed, so far as the same are repugnant to this act. Part of act repealed.

SEC. 3. *Be it further enacted*, That all actions, appeals, recognizances, and other processes that now are, or may hereafter be, prior to the said first day of March next, commenced or sued out, returnable to, continued in, or pending in the said courts, as heretofore by law established, shall be returnable, entered and continued to, pending in, prosecuted, tried, determined and adjudged, at the Actions, appeals, &c.

said courts, respectively to be held by virtue of this act, on the second Tuesday of April next.

Boundaries. SEC. 4. *Be it further enacted*, That all the towns, districts, plantations, and other territory, within the said county of Hancock, lying north and west of the following described line, viz. :—Beginning at the south west corner of the town of Dixmont, and in the north line of the Waldo patent; thence easterly by the said line of the Waldo patent to Penobscot river; thence by said river to the south line of the town of Orrington; thence by said south line of Orrington, and the southerly line of the town of Brewer, and of the Gore east of Brewer, to the west line of township number twenty in the lottery townships; thence north by the west line of townships numbered twenty, twenty-six, thirty-two, thirty-eight, and one, to the north west corner of number one; thence east by the line of the townships numbered one, two, three and four, to the west line of the county of Washington, shall be, and the same are hereby constituted a district for the Register of Deeds; and the inhabitants of the said district, are hereby authorised to choose a Register of Deeds in the manner provided by law; and the Register so chosen, shall keep his office in the town of Bangor, and Allen Gilman, Esq. one of the Justices of the Peace in and for said county, is hereby authorised and empowered to issue his warrant to the selectmen of the several towns, and the assessors of the several plantations, authorised by law to vote for Governor, Lieutenant-Governor and Senators, within said district, ordering them to convene the inhabitants of said towns and plantations, qualified to vote for Representatives in the General Court, on the first Monday of April next, that they may proceed to the choice of some person qualified by law for the office of Register of Deeds, and ordering the said selectmen of said towns, and assessors of said plantations, to seal up and transmit a copy of the record of votes and persons voted for in their respective towns and plantations, together with the warrant, to the Circuit Court of Common Pleas, next to be held at Castine, on the second Tuesday of April next; and the person having the majority of votes, after being sworn and giving bond, as by law directed, shall be the Register of Deeds for the district aforesaid, and shall continue in office until the last day of March, which will be in the

District constituted.

Justice to issue warrant.

Register of Deeds to be chosen.

year of our Lord one thousand eight hundred and sixteen, and until another shall be chosen and sworn in his stead ; and if it shall appear that no person has a majority of votes in the said district, upon the examination of the returns aforesaid, the same proceedings shall be had as are directed by law, in other cases of vacancy in the office of Register of Deeds.

SEC. 5. *Be it further enacted*, That the person chosen as aforesaid, shall be subject to the same rules and disqualifications, to which Registers of Deeds for the several counties are subject ; and from and after the first day of May next, shall be fully authorised and empowered to register and record all deeds of conveyance of lands and other real estate lying within the said district ; and the record of deeds as aforesaid shall be valid to all intents and purposes whatever ; and the record of any deed of conveyance of land or other real estate lying within the said district, which after the said first day of May next, by any other than the person chosen as aforesaid, shall be void and of no effect ; and the Register to be chosen as aforesaid, shall be entitled to the same fees, in the execution of his office, as the Registers of Deeds in the several counties are entitled to receive. Register authorised.

SEC. 6. *Be it further enacted*, That if there shall not be provided in said town of Bangor, a suitable house for the accommodation of said courts, during their sittings, for the term of five years from the passing of this act, free of any expense to the county of Hancock, notice that said house is provided to be given to the Circuit Court of Common Pleas, to be holden at Castine, at their next session, at which term the said court shall cause proclamation thereof to be made, then this act shall be void and of no effect, so far as the same relates to the holding of the terms thereof in said town of Bangor, and said court shall in that case be holden at Castine, as heretofore provided. House to be provided.

[Approved by the Governor, February 28, 1814.]

CHAP. CLXXXIX.

An Act in addition to an act, entitled “An act in addition to an act, defining the general powers and duties, and regulating the office of Sheriff,” and for extending the provisions thereof to Coroners.

Authority,
powers. and
duties ex-
tended.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the authority and powers given to, and duties required of the Justices of the several Courts of Common Pleas, with regard to Sheriffs, contained in an act, entitled “An act in addition to an act defining the general powers and duties, and regulating the office of Sheriff,” passed the twenty-seventh day of February, in the year of our Lord one thousand seven hundred and ninety-five, shall be, and hereby are extended to the Justices of the several Circuit and other Courts of Common Pleas in this Commonwealth, with regard to Coroners; and the same proceedings in all respects shall be had respecting Coroners’ bonds and sureties; and Coroners shall be liable to the same forfeitures for like causes, to be recovered in like manner, and subject to removal from office in the same way, and to be proceeded against in the same manner, in all respects, as are provided in the act to which this is an addition, with regard to Sheriffs.

[Approved by the Governor, February 28, 1814.]

CHAP. CXC.

An Act in addition to an act, entitled “An act imposing a Tax on the Banks within this Commonwealth.”

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the corporation of each and every Bank within this Commonwealth, which now is in operation, or which shall hereafter come into operation, shall, within ten days after the first Mondays of October and April

annually, pay to the Treasurer of this Commonwealth, for the use of the same, a tax of one half of one per cent on the amount of such part of their original stock as shall have been actually paid in by the stockholders in the respective Banks, according to the provisions contained in the first section of the act, entitled "An act imposing a Tax on the Banks within this Commonwealth."

Shall pay tax
to the Treas-
urer.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Corporation of the several Banks aforesaid, on or before the first Monday of April next, to furnish the Treasurer of the Commonwealth with an abstract of the amount of stock actually paid by stockholders in the respective Corporations, into their respective Banks, together with the time when the several instalments were paid; and it shall be the duty of all such Banking Incorporations, who have not yet completed the payment of their several instalments, and of all such as shall hereafter be incorporated, to furnish a like abstract of the amount of stock which shall be actually paid by the stockholders thereof into their respective Banks within ten days after such instalment shall have been paid in.

Duty of the
corporation.

SEC. 3. *Be it further enacted*, That the first section of the act, entitled "An act imposing a Tax on the Banks within this Commonwealth" be, and it hereby is repealed: *Provided however*, The same shall be and remain in force so far as to compel all such Corporations to fulfil and perform the duties therein required of them, and to pay the tax therein imposed on them, as shall have neglected to comply with the same.

Section in
part repeal'd

[Approved by the Governor, February 28, 1814.]

CHAP. CXCI.

An Act to erect the District of Lynnfield, in the county of Essex, into a town, by the name of Lynnfield.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the district of Lynnfield, in the county of Essex, as the same is bounded and defined in an act, entitled "An act for erecting a district, in the

Town incor-
porated.

county of Essex, by the name of Lynnfield," be, and the same hereby is incorporated into a town, by the name of Lynnfield, with all the powers, privileges, and immunities, and liable to all the duties and requisitions of other towns in this Commonwealth.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCH.

An Act in addition to an act, entitled "An act to provide for the proof of Fire Arms, manufactured within this Commonwealth."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the passing of this act, all musket barrels and pistol barrels, manufactured within this Commonwealth, shall, before the same shall be sold, and before the same shall be stocked, be proved by the person appointed according to the provisions of an act, entitled "An act to provide for the proof of Fire Arms, manufactured within this Commonwealth," to which this is an addition, in manner following, viz : with a charge of powder equal in weight to the ball which fits the bore of the barrel to be proved ; and the powder used in such proof one ounce thereof in a howitzer of four and a half inch caliber, at an elevation of forty-five degrees, shall be of sufficient power to carry a twelve pound shot one hundred and thirty yards ; or one ounce thereof in a howitzer of five and a half inch caliber, at an elevation of forty-five degrees, shall be sufficient to carry a twenty-four pound shot eighty yards, and the ball used in such proof shall be suited to the bore of the barrel to be proved as aforesaid.

Manner of
proving.

SEC. 2. *Be it further enacted,* That if any person or persons, from and after the passing of this act, shall manufacture, within this Commonwealth, any musket or pistol, or shall sell and deliver, or shall knowingly purchase any musket or pistol, without having the barrels first proved according to the provisions of the first section of this act, marked and stamped according the provisions of the first section of the act to which this is an addition ; or if

Restrictions.

any person or persons shall sell, stock or finish, or shall knowingly purchase any musket barrel or pistol barrel manufactured within this Commonwealth, which shall not have been first proved, marked and stamped according to the provisions aforesaid, the person or persons who shall so manufacture, sell and deliver, or knowingly purchase any musket or pistol without causing the same to be first proved, marked and stamped as aforesaid, and the person or persons who shall sell, stock or finish, or shall knowingly purchase any musket barrel or pistol barrel, which shall not have been proved, marked and stamped as aforesaid, shall severally forfeit the sum of ten dollars, to be recovered by an action of debt before any court proper to try the same, by any person who shall sue for and recover the same, to his own use: *Provided however*, That the foregoing provisions and penalties shall not extend to any muskets or pistols, or musket or pistol barrels, manufactured in any armoury of the United States, for their use, or in execution of any contract made or to be made with the United States, for the manufacture of fire arms.

Forfeitures.

Proviso.

SEC. 3. *Be it further enacted*, That the second and third sections of the act to which this is in addition, and also so much of the first section thereof as prescribes the mode of proving musket barrels and pistol barrels, and the power of the powder to be used in such proof, be, and the same are hereby repealed.

Sections repealed.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCIH.

An Act to incorporate The President, Directors and Company of the Lynn Mechanicks Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That Daniel Silsbe, Joseph Fuller the third, John D. Atwell, Thomas Rich, Samuel Brimblecum, Micajah Burrill, Parker Mudge, Oliver Fuller, Jonathan Conner, John Alley, jr. Stephen Oliver, John Mudge, and Jonathan Bachellor, their associates, successors, and assigns shall be, and hereby are created a Cor-

Persons incorporated.

poration by the name of the President, Directors, and Company of the Lynn Mechanicks Bank, and shall so continue from the first day of September next, until the first Monday of October, which will be in the year of our Lord one thousand eight hundred and thirty-one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish, and put in execution such by-laws, ordinances and regulations as to them may appear necessary and convenient for the government of the said Corporation and the prudent management of their affairs: *Provided*, such by-laws, ordinances and regulations, shall, in no wise, be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations, and provisions herein prescribed.

Time incor-
porated for.

Proviso.

Amount of
capital stock
and of each
share.

SEC. 2. *Be it further enacted*, That the capital stock of the said Corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in at two equal instalments; the first, on the first day of September next; and the second, on the first day of June, which will be in the year of our Lord one thousand eight hundred and fifteen, or at such earlier times as the said stockholders, at any meeting thereof, may order. And the stockholders, at their first meeting shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; and the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of ten thousand dollars, and no more at any one time; with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects by discounting on banking principles, on such security as they shall think advisable: *Provided however*, That nothing herein contained shall restrain or prevent the said corporation from taking and holding real estate, in mortgage or on execution, to any amount, as security

May hold re-
al estate and
amount.

Proviso.

for or in payment of any debts due to the said corporation: *And provided further*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said bank, until the first instalment shall have been actually paid in as aforesaid. And at any time, after the payment of the last instalment aforesaid, it shall be lawful, and power is hereby granted to the stockholders of said corporation, to add to their capital stock aforesaid the sum of fifty thousand dollars, if they shall think proper, to be paid in at one instalment.

Proviso.

May add to capital.

SEC. 3. *Be it further enacted*, That the rules, restrictions, limitations, reservations and provisions, which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors, and Company of the State Bank," shall be binding on the bank hereby established: *Provided only*, that the bond required to be given by the Cashier, shall be in the penalty of ten thousand dollars; that the number of Directors, to be chosen annually, shall be nine, five of whom shall constitute a quorum for the transaction of business: *And provided also*, that the amount of bills, at any one time issued from said bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

Rules, &c.

Proviso.

Debts not to exceed 50 per cent.

SEC. 4. *Be it further enacted*, That the said bank shall be established and kept in the town of Lynn.

SEC. 5. *Be it further enacted*, That any committee, specially appointed by the Legislature for the purpose, shall have a right to examine into the doings of the said corporation, and shall have free access to all their books and vaults; and if upon such an examination it shall be found, and after a full hearing of said corporation thereon be determined by the Legislature, that said corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislative committee may examine books, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the members and stockholders of said corporation, as soon as may be, at such time and place, as they may see fit, by advertising the same for three weeks successively in the Essex Register and Salem Gazette, for the purpose of making, ordaining and establishing

Method of calling a meeting.

such by-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said stockholders shall deem necessary, and for the choice of the first board of Directors, and such other officers as they shall see fit to choose.

Shall transmit statement of accounts.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amounts of the capital stock of said corporation, and of debts due to the same; of the monies deposited therein; of the notes in circulation; and of the gold, silver and copper coin, and the bills of other banks on hand; which statement shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation, before some person competent to administer the same.

Shall pay counterfeit notes.

SEC. 8. *Be it further enacted*, That the said corporation shall be liable to pay, to any bona fide holder, the original amount of any note of said bank, fraudulently altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Shall pay tax to the Treasurer.

SEC. 9. *Be it further enacted*, That the said corporation, from and after the first day of September next, shall pay by way of tax to the treasurer of this Commonwealth, for the use of the same, within ten days after each semi-annual dividend, the half of one per cent on the amount of the original stock which shall, at the time of said dividend, have been actually paid in: *Provided however*, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all banks that shall be hereafter incorporated within this Commonwealth: *And provided further*, That nothing herein shall be construed to impair the rights of the Legislature to lay a tax upon any bank already incorporated under the authority of this Commonwealth, whenever they may see fit so to do.

Proviso.

Amount appropriated to loans.

SEC. 10. *Be it further enacted*, That one tenth part of the whole funds of said bank shall always be appropriated to loans, to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums, not less than one hundred dollars, nor more than five hundred dollars, upon the

personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption, as is by law provided in other cases.

SEC. 11. *Be it further enacted*, That whenever the Legislature shall require it, the said corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate not exceeding five per centum per annum: *Provided however*, that the Commonwealth shall never, at any one time, stand indebted to said corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

Shall loan to the Commonwealth.

Proviso.

SEC. 12. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe, on account of said Commonwealth, a sum not exceeding sixty thousand dollars, to be added to the capital stock of said company, subject to such rules, regulations and provisions, as shall be by the Legislature made and established as to the management thereof.

Commonwealth may subscribe.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCIV.

An Act to restore the Board of Overseers of Harvard College, and to make an addition thereto.

SEC. 1. **B**E it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That an act made and passed on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and twelve, entitled "An act to repeal an act, entitled an act to alter and amend the Constitution of the Board of Overseers of Harvard College, and to regulate certain meetings of that Board," be, and the same is hereby repealed.

Act repealed

Senate added to the Board.

SEC. 2. *Be it further enacted*, That the Senate of this Commonwealth shall be, and they hereby are added to the Board of Overseers, constituted by an act made and passed on the fifth day of March, in the year of our Lord one thousand eight hundred and ten, entitled "An act to alter and amend the Constitution of the Board of Overseers of Harvard College," and shall, together with the persons mentioned in the said last mentioned act, hereafter constitute the Board of Overseers of Harvard College, they, or the major part of them present at any legal meeting, to exercise and enjoy all the rights, powers and privileges, and to be subject to all the duties of the Board of Overseers, constituted under the said last mentioned act.

Act, when in force.

SEC. 3. *Be it further enacted*, That this act shall be in force, when the Overseers of Harvard College, constituted by the last mentioned act, and the President and Fellows of Harvard College, shall agree to accept the provisions of this act.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCIV.

An Act to prevent Frauds in Elections.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That if any person, who is by law authorised to preside at any meeting, or to receive votes at any meeting, which may be holden for the choosing of Governor, Lieutenant-Governor, Senators and Counsellors, Representatives to Congress or to the General Court, or any town officers, shall knowingly receive the vote of any person, who is in the military service of the United States, and who is not qualified to vote agreeably to the constitution and laws of this Commonwealth in choosing as aforesaid; such person, so presiding or receiving any vote as aforesaid, shall forfeit and pay one hundred dollars, to be recovered by information to be filed and prosecuted by the Attorney-General or the Solicitor-General in the Supreme Judicial Court, or by indictment in said Court.

Forfeiture.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCVI.

An Act to apportion and assess a tax of one hundred and thirty-three thousand, three hundred and thirty-four dollars, ninety-two cents, for the service of the State.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCVII.

An Act to transfer the Powers and Duties of the Courts of Sessions to the Circuit Court of Common Pleas, and for other purposes.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That from and after the first day of June next, the act, entitled "An act to establish the Court of Sessions," passed the twenty-fifth day of June, in the year of our Lord one thousand eight hundred and eleven, be, and the same is hereby repealed; except so far as it relates to the counties of Suffolk, Nantucket and Dukes' county. Act, in part repealed.

SEC. 2. *Be it further enacted,* That from and after the first day of April next, all petitions, recognizances, warrants, orders, certificates, reports and processes, made to, pending in, taken for, or continued, or returnable to the Courts of Sessions in the several counties of this Commonwealth, except as aforesaid, shall be returnable to, entered, have day, be proceeded in, and determined by the respective Circuit Courts of Common Pleas, within and for the same counties at the term thereof, which shall be holden next after the first day of July next, and that all petitions, recognizances, warrants, orders, reports, and processes, which shall after the said first day of April next be made or taken, shall be made and taken to the Circuit Courts of Common Pleas within the respective counties, except as aforesaid, at the term thereof which shall be next holden after the said first day of July next, in the same manner as they would have been made or taken to the said Court of Sessions, if this act had not been passed. Petitions, Recognizances, &c.

SEC. 3. *Be it further enacted*, That from and after the first day of June next, the Circuit Courts of Common Pleas, within this Commonwealth, at the first term thereof, which shall be holden in each county, next after the first day of January, and at the first term thereof which shall be holden in each county next after the first day of July in each year, shall have, exercise and perform all the powers, authorities and duties, which the respective Courts of Sessions, within the several counties in this Commonwealth have, before and until the passing of this act, by law had, exercised and performed, except in the counties of Suffolk, Nantucket and Dukes' county as aforesaid.

SEC. 4. *Be it further enacted*, That his excellency the Governor, by and with the advice and consent of the Council, be, and he hereby is authorised immediately after the passing of this act, to appoint and commission two discreet persons, being free-holders, within each county of this Commonwealth, except as aforesaid, who shall be Session Justices of the Circuit Court of Common Pleas in their respective counties; and the persons so appointed and commissioned, shall be associated with the Justices of the Circuit Court of Common Pleas at the first term of the said court, which shall be holden in their respective counties, next after the first day of January, and at the first term thereof which shall be holden next after the first day of July, in each year, for the purpose of hearing, adjudging and determining all matters and things of which the Courts of Sessions in the several counties in this Commonwealth, before and until the passing of this act, had cognizance and jurisdiction, and of which, cognizance and jurisdiction are by this act transferred to the Circuit Court of Common Pleas; and any three of the said Justices (of whom one at least shall be one of the Session Justices for the county) shall constitute a court for all the purposes expressed in this act.

SEC. 5. *Be it further enacted*, That the several Session Justices of the Circuit Court of Common Pleas shall be entitled to receive out of the treasury of their respective counties, three dollars for each day's necessary attendance at the Circuit Court of Common Pleas, and ten cents for each mile of necessary travel from their respective places of abode to attend said courts for the purpose expressed in this act: *Provided*, That the said Justices shall be al-

Time of
holding
Courts.

Powers, &c.

Governor to
appoint Ses-
sion Justices

Compensa-
tion.

lowed pay for no more than one travel at any one term of the said courts.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCVIII.

An Act to establish a Fund for the support of Schools, in the town of Phillips.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Thomas Wilbur, Benjamin Tufts, Thomas C. Jordan, Jacob Whitney, Jonathan Pratt, Joseph Whitney, and Isaac Davenport, all of the town of Phillips, in the county of Somerset, be, and they hereby are constituted and made a body politic and corporate, by the name of The Trustees of the School Fund in the town of Phillips; and the said trustees in that capacity, shall have power according to their best discretion, to sell the public lot of land, in the said town, which in the original grant was reserved for the support of schools in the said town; and the monies arising from said sale to put at interest, in the manner provided by this act, which monies shall be a fund for the support of schools in the said town; and the number of the said trustees shall never exceed seven, nor be less than five, any three of whom may be a quorum for doing business; and the said trustees and their successors, shall annually elect by written votes, a chairman, and also a clerk to record and certify their doings, and a treasurer to receive, keep, and apply the monies belonging to the said school fund as is herein directed; and the said treasurer shall give bond, with two sufficient bondsmen, for the faithful discharge of his trust; and the said trustees may keep and use a common seal, subject to alteration at their pleasure; and by their corporate name aforesaid, may sue and be sued, in any action, real, personal or mixed, and may prosecute and defend the same, to final judgment and execution.

Persons in
incorporated.

Trustees
limited.

Election of
officers.

Treasurer
to give bond

SEC. 2. *Be it further enacted,* That one of the said trustees shall annually retire, beginning and proceeding accordingly by seniority of age, and such vacancy shall be

Vacancy,
how filled.

supplied by election of the freeholders, at their annual town meeting for the choice of town officers; and in like manner any vacancy may be supplied, which may happen by death, resignation, removal, inability, infirmity, misconduct, or any other cause, which in the judgment of the said freeholders shall be sufficient for such removal, and to fill the vacancy so occasioned thereby; and they may also remove any officer or agent by them employed, when they may see sufficient cause.

Trustees
empowered.

SEC. 3. *Be it further enacted*, That the said trustees be, and they are hereby empowered to sell and convey the public lot in the said town, which in the original grant thereof was reserved for the support of schools in the said town of Phillips; and to make, execute, acknowledge, and deliver a good and sufficient deed or deeds thereof, which being signed by the treasurer, and countersigned by the clerk of the said corporation, with their seal affixed, shall be good and effectual in law, to pass and convey the fee simple from the said town to the purchaser; and the monies arising from the sale of the said school lands, shall be put at interest as soon as may be, and secured by mortgage on real estate, to the full value of the property sold, or money loaned, or by two or more sureties with the principal, unless the said trustees shall think it more expedient to invest the same in public funded securities or bank stock, at their discretion; and all donations, grants, bequests, or legacies, which may be hereafter made and given for the use of schools in the said town of Phillips, shall be added to the said fund, and appropriated to the same purpose, in the manner, and within the restrictions and provisions made in this act. And the interest and profits only arising from the said funds, shall be used and applied for the benefit of the schools in the said town; and it shall never be in the power of the said town to alienate, alter, or vary the appropriation of the said funds. And the said trustees, and the officers of the said corporation, for the services they may perform, shall receive no compensation out of the said funds, interests or profits aforesaid, but a reasonable compensation for such services may be paid to them by the said town, as they may see cause.

Monies to be
at interest.

Trustees re-
sponsible.

SEC. 4. *Be it further enacted*, That the said trustees and each of them severally, shall be responsible to the town for their personal neglect, or misconduct, whether

they be officers or not, and liable to prosecution for any loss or damage to the said funds arising thereby; and the debt or damage, recovered in such suit, shall be considered as belonging to the said funds, and applied accordingly; and at every annual meeting of the said town, the trustees shall exhibit a true and fair statement of their doings, and of the condition of the said funds; and the said trustees and the officers of the said corporation, for the services they may perform, shall receive no compensation out of the funds, interests or profits aforesaid, but a reasonable compensation for such services may be allowed to them by the said town.

Duties of the
Trustees.

SEC. 5. *Be it further enacted*, That any Justice of the Peace for the county of Somerset, is hereby empowered, upon application therefor, to issue a warrant directed to one of the trustees named in this act, requiring him to notify and warn a meeting of said trustees, to meet at such convenient time and place, as shall be appointed in the said warrant, to organize the said corporation, by the election and appointment of its officers; and the said corporation, when duly organized, may adopt and settle the way and means of calling and notifying future meetings.

Justice to issue
warrant.

[Approved by the Governor, February 28, 1814.]

CHAP. CXCIX.

An Act in addition to, and declaratory of the true intent and meaning of "An act to repeal in part an act, entitled an act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes."

WHEREAS in pursuance of "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes," some clerks of the courts had rendered to the treasurers of their respective counties their accounts of the sums by them received, and had paid over to their respective county treasurers, for the use of the county, one half of the residue,

Preamble.

after deducting twelve hundred dollars ; and whereas the General Court had directed the sums that were to be so paid by the clerks, within the second and the third Eastern Circuits, to be paid over by the county treasurers within the said Circuits, to the Judges of the Circuit Courts of Common Pleas, for their further compensation :

Explanation
of act.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That nothing contained in "An act to repeal in part an act, entitled an act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes," shall be so construed, as to exempt the clerks of the several counties from rendering their accounts to the respective county treasurers, of monies received by them until the twenty-seventh day of January, in the year of our Lord one thousand eight hundred and fourteen, or from paying over one half of the residue of the sums received by them, after deducting twelve hundred dollars annually, until the said twenty-seventh day of January, in the same manner they were required to do, by the second section of "An act providing for the appointment of Clerks of the Courts in the several Counties, and for the safe keeping of the Judicial Records and Files, and for other purposes."

Judges may
appoint
clerks.

SEC. 2. *Be it further enacted,* That the Judges of the Supreme Judicial Court are hereby authorised and empowered to appoint Clerks of the Supreme Judicial Court, and of all the Circuit Courts of Common Pleas within the Commonwealth.

[Approved by the Governor, February 28, 1814.]

CHAP. CC.

An Act to repeal in part an act, entitled "An act to incorporate Samuel H. Flagg, and others, by the name of 'The Proprietors of Prison Point Dam Corporation.'"

SEC. 1. **BE** *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That so much of the act, entitled

“An act to incorporate Samuel H. Flagg, and others, by the name of The Proprietors of the Prison Point Dam Corporation, as provides that five cents a ton shall be allowed and paid by the said corporation for detention of all sea vessels of more than forty tons burthen, which shall pass with freight through the locks thereof, be, and the same is hereby repealed.

Act in part repealed.

SEC. 2. *Be it further enacted*, That the said corporation shall be allowed to occupy and possess for the objects and purposes of said corporation, a parcel of flats between Prison Point and Lechmere's Point, not exceeding three hundred feet in width, if in their judgment, the same shall be found necessary, and that the travelling path on said dam shall not be less than thirty feet in width.

SEC 3. *Be it further enacted,* That the proprietors of said dam, shall have a right, if at any time hereafter they shall see fit to make a road from the said dam to the Main-Street in Charlestown; and any person whose land shall be taken for said road, shall be entitled to compensation in damages therefor, and shall have a like remedy and process therefor in all respects as is given in the several acts for laying out highways within this Commonwealth.

[Approved by the Governor, February 28, 1814.]

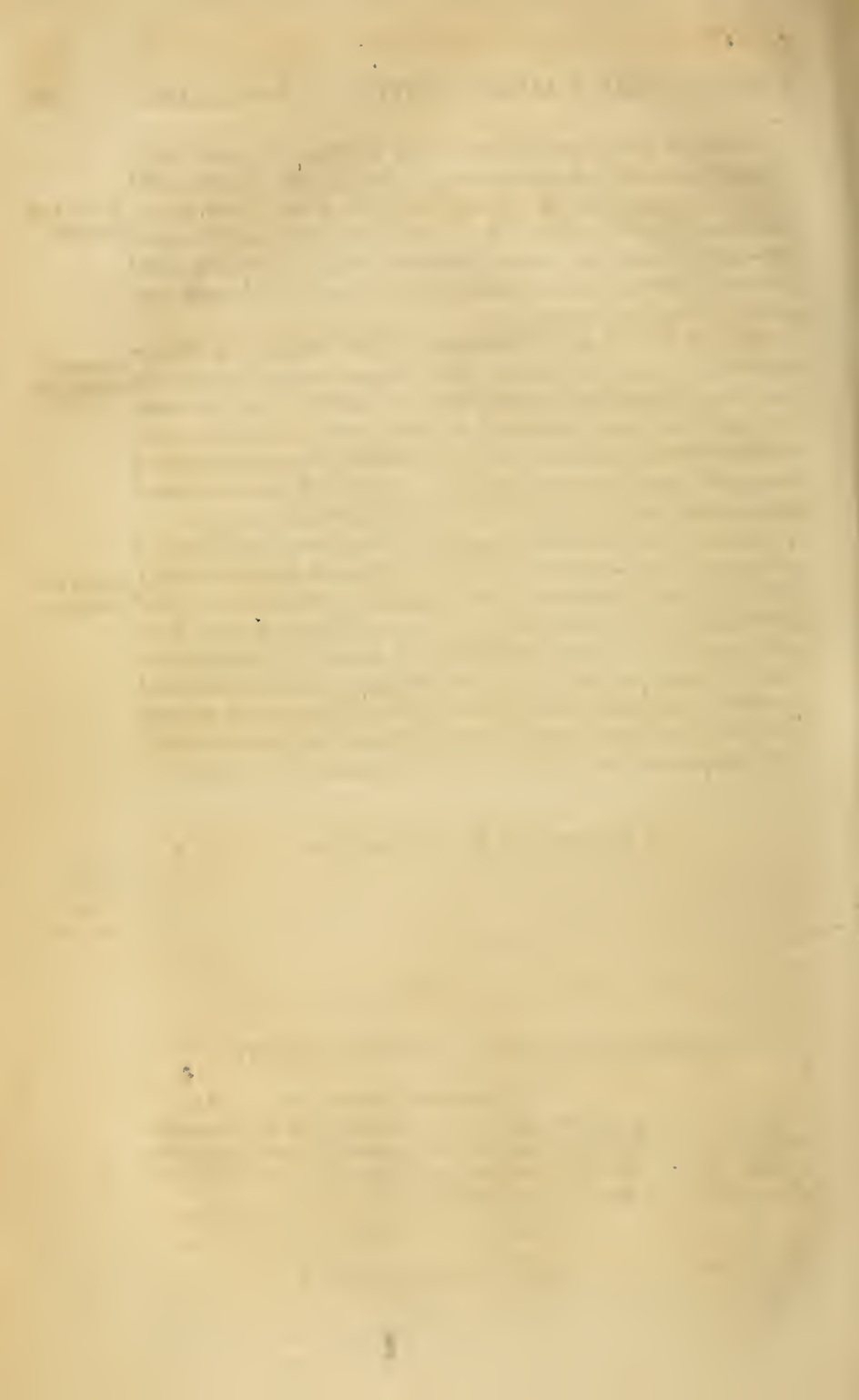
END OF JANUARY SESSION, 1814.

COMMONWEALTH OF MASSACHUSETTS.

Secretary's Office, May 4, 1814.

By this I certify, that the acts and laws contained in this Pamphlet, which were passed by the Legislature at their January Session the present year, have been examined and compared in this Office with the originals, and appear to be correct.

ALDEN BRADFORD, { *Secretary of the*
 { *Commonwealth*



LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THE SESSION COMMENCING ON THE 25th DAY OF MAY, AND

ENDING ON THE 14th DAY OF JUNE,

1814.

CHAP. I.

An Act in addition to an Act, entitled “ an Act to incorporate the President, Directors and Company of the Springfield Bank.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That so much of an act, entitled “ An act to incorporate the President, Directors and Company of the Springfield Bank,” as regards the times at which the Stockholders of said Bank are required to pay in their several instalments of the capital stock thereof, be, and hereby is repealed ; and that the Stockholders of said Bank be, and hereby are required to pay in the several instalments of the capital stock of said Bank at the following periods, to wit : the first instalment on the first day of October next ; the second on the first day of April next ; the third instalment on the first day of October next after, and the fourth instalment on the first day of April next after.

Act in part repealed.

[Approved by the Governor, June 2, 1814.]

CHAP. II.

An Act for the relief and to alter the name and stile of the third Massachusetts Turnpike Corporation.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, entitled "An act in addition to the several acts establishing and regulating the third Massachusetts Turnpike Corporation," which was passed on the fifth day of February last, be, and the same hereby is repealed.

Act repealed.

SEC. 2. *Be it further enacted*, That the said Corporation shall henceforth be known and called by the name and stile of the Worthington Turnpike Corporation.

[Approved by the Governor, June 3, 1814.]

CHAP. III.

An Act establishing the Haverhill Cotton and Wool Manufactory.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ebenezer Gage, James How, William Dole, Richard H. Kimball, Benjamin Clark, Edward Brown, Benjamin Emerson, Jun. and Solomon Nelson, Jun. with such other persons as already have, or hereafter may associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Haverhill Cotton and Wool Manufactory, for the purpose of manufacturing cotton and woollen yarn and cloth, within the town of Haverhill, and for such purposes, shall have all the powers, and privileges, and be subject to all the duties and requirements contained in an act passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted*, That said Coporation may be lawfully seized and possessed of such real estate not exceeding the value of thirty thousand dollars, and such personal estate not exceeding eighty thousand dollars, as may be necessary for the purposes aforesaid.

May hold real
and personal
estate.

[Approved by the Governor, June 7, 1814.]

CHAP. IV.

An Act to incorporate the Chester Glass Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Jesse Farnam, Harvey Champion, John Dewey, Charles Douglas, Thomas Mather, David King, Leister King, Benjamin Hastings, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Chester Glass Company, for the purpose of manufacturing glass in the town of Chester, in the county of Hampden; and for the purpose aforesaid, shall have all the powers and privileges, and shall be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incor-
porated.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate not exceeding the value of fifty thousand dollars, and such personal estate not exceeding one hundred and fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

May hold real
and personal
estate.

[Approved by the Governor, June 7, 1814.]

CHAP. V.

An Act to incorporate the Ashburnham Cotton Factory Company.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That David Cushing, Jun. Josiah Lane, Benjamin Barrett and Charles Barrett, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Ashburnham Cotton Factory Company, for the purpose of manufacturing cotton yarn, thread, cloth and other cotton goods, in the town of Ashburnham, in the county of Worcester ; and by that name shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, one thousand eight hundred and nine, entitled “ An act defining the general powers and duties of Manufacturing Corporations.”

May hold real
and personal
estate.

SEC. 2. *Be it further enacted*, That said Corporation may lawfully hold and possess, for the purposes aforesaid, real estate to the value of twenty thousand dollars, and personal estate to the value of sixty thousand dollars.

[Approved by the Governor, June 7, 1814.]

CHAP. VI.

An Act to establish the Free Christian Society in Berkley.

Persons incor-
porated,

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Zephaniah Jones, Edmund Burt, Henry Tew, Phillip Tew, Dan Tew, John Tew, Hathaway Tew, Darius Phillips, John Phillips, Joseph Dean, Aaron Nichols, Ebenezer Peirce, Jr. Marick Tew, Barnabas Cudworth, David Cudworth, Job Briggs, William Evans, John Goff, Avery Winslow, George Briggs,

Joseph Briggs, Sam'l Paull, Ebenezer Paull, 2d, Ahasuerus Paull, Ephraim Caswell, Phillip Caswell, John Burt, Venus Macomber, Elisha Peirce, Jun. William Harvey, Dean Jones, Joseph Atwood, Alanson Cummings, Hannah Burt, Joseph Burt, Weston Westcoat, with their families and estates, together with such others, as may hereafter associate with them and their successors, in the manner provided by this act, be, and they are hereby incorporated as a religious society, by the name of the Free Christian Society in Berkley, with all the powers and privileges exercised and enjoyed by other religious societies, according to the constitution and laws of this Commonwealth : *Provided*, That all such persons Provide. shall be holden to pay all monies granted and legally assessed in said town of Berkley, for parochial purposes, prior to the passing of this act.

SEC. 2. *Be it further enacted*, That any person, who may desire to become a member of the said Free Christian Society, shall declare such intention to the Clerk or Committee of said Society, fifteen days at least previous to their annual meeting ; and if such person do receive and can produce a certificate of admission, signed by the Clerk or Committee, that such person has united with and actually become a member of said Free Christian Society, and shall also leave an attested copy of the said certificate with the Clerk of the Parish or Society to which he or she formerly belonged, such person from the time of leaving a copy of said certificate with the Clerk of the Parish or Society to which he or she formerly belonged, shall be considered, with his or her polls and estate, a member of the said Free Christian Society ; *Provided, however*, That every such person shall be holden to pay his or her proportion of all parochial expences in the Society to which such person belonged, assessed, and not paid, previous to leaving such Society. Manner of becoming a member. Provide.

SEC. 3. *Be it further enacted*, That when any member of the said Free Christian Society may see cause to leave the same, and unite with any other religious Society, he or she shall give notice of such intention to the Clerk or Committee of such other Society, fifteen days at least previous to the annual meeting, and if such person

receive and can produce a certificate of admission, signed by the Clerk or Committee of such other religious Society, that such person has united with and actually become a member of the said other Society, and shall also leave an attested copy of the said certificate with the Clerk of the said Free Christian Society, such person having paid his or her proportion of all monies voted to be raised in said Free Christian Society previous thereto, shall, from the time of leaving a copy of said certificate with the Clerk of said Free Christian Society, be considered with his or her polls and estate as a member of said other Society.

Justice to issue
warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Bristol be, and hereby is authorised to issue a warrant, directed to some member of said Free Christian Society, requiring him to notify and warn the members thereof to meet at such time and place as shall be appointed in said warrant, to choose all such officers as religious Societies have a right to choose at their annual meetings.

[Approved by the Governor, June 7, 1814.]

CHAP. VII.

An Act in addition to an act, entitled “ An act to incorporate certain persons by the name of the Medford Wire Factory.”

Powers enlarged.

Proviso.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the powers heretofore granted to the Medford Wire Factory be, and they hereby are so far enlarged, as that the said Corporation may hereafter carry on as well the manufacture of screws as of wire : *Provided however*, That the capital stock, vested in the said additional branch of manufacture, shall at no time exceed the sum of fifty thousand dollars.

SEC. 2. *Be it further enacted*, That the said Corporation shall henceforth be known and called by the name of the Medford Wire and Screw Factory.

[Approved by the Governor, June 7, 1814.]

CHAP. VIII.

An Act to incorporate the Athol Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ebenezer Nickerson, Ammi Cutter, Aaron Brigham and Adin Holbrook, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Athol Manufacturing Company, for the purpose of spinning cotton and wool, and manufacturing cotton and woollen cloth and yarn, in the town of Athol, in the county of Worcester ; and for the purposes aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled an act defining the general powers and duties of Manufacturing Corporations.

Persons incorporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized and possessed of such real estate not exceeding the value of fifty thousand dollars, and such personal estate not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

May hold real and personal estate.

[Approved by the Governor, June 9, 1814.]

CHAP. IX.

An Act in addition to an act, entitled “ An act to incorporate William Gray, Jun. Esq. and others, into a Company, by the name of the Essex Fire and Marine Insurance Company.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Essex Fire and Marine Insurance Company be, and they hereby are authorised

To invest real estate.

and empowered to invest in real estate, the sum of one hundred thousand dollars of their capital stock, for the use of said Company, any thing contained in the act, entitled "An act to incorporate William Gray, Jun. Esq. and others, into a Company, by the name of the Essex Fire and Marine Insurance Company," to the contrary notwithstanding.

[Approved by the Governor, June 9, 1814.]

CHAP. X.

An Act to incorporate the Dalton Cotton and Paper Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Henry Marsh, Martin Chamberlain, Daniel Boardman, Dan Chamberlain, Zenas Crane, Thomas Holden, and Trumbull Dorrance, together with such others as have or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Dalton Cotton and Paper Manufacturing Company, for the purpose of manufacturing cotton yarn, cotton cloth, and paper, in the town of Dalton, in the county of Berkshire; and for the purposes aforesaid, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incor-
porated.

May hold real
and personal
estate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate not exceeding the value of thirty thousand dollars, and such personal estate not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid.

[Approved by the Governor, June 9, 1814.]

CHAP. XI.

An Act to incorporate the north part of the town of Dighton into a separte town by the name of Wellington.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all the lands comprised within the limits of the following lines and boundaries in the town of Dighton, in the county of Bristol, with all the inhabitants dwelling therein, viz : on the south by Segreganset river, beginning at its mouth and ending at the second Bridge across the same, in the highway leading from the lower street, westerly by Thomas B. Richmond, Esq. on the north side of said highway to the upper street, then by the north side of the road running westerly from said upper street by Constant Simmonds and Samuel Briggs the first three rods west of Abizer Briggs' dwelling-house ; then northerly in a direct line three rods easterly of the dwelling-house of Peter W. Paul ; then in a direct line northerly six rods east of the dwelling-house lately owned by Jeremiah Bowen ; thence westerly on the south side of the road, leading by Daniel Witherell's in a direct course to Rehoboth line ; thence following the line of division between Dighton and Rehoboth until it reaches Taunton boundary line ; thence on the boundary line of Dighton and Taunton to its termination at Taunton great river ; thence by said river to the mouth of Segreganset, where the bounds began, be, and they hereby are incorporated into a town, by the name of Wellington, and vested with all the powers, privileges, and immunities, and subject to all the duties and requirements of other incorporated towns agreeable to the constitution and laws of this Commonwealth.

Boundaries described.

Town incorporated.

SEC. 2. *Be it further enacted,* That all the expences arising for the support of the poor of said town of Dighton, with which it is now chargeable shall be equally divided between the towns of Dighton and Wellington, and all such poor as have removed out of said town of Dighton prior to this act of incorporation, but who may hereafter be lawfully returned to said town for support, shall

Support of the poor.

be supported by the town of Dighton, or by the town of Wellington where their former inhabitancy will lawfully settle them; and when the said town of Wellington shall be organized, the paupers, whether the same be supported in whole or in part only, shall be divided as nearly as may be, and one half of the number delivered over to the Overseers of the poor of that town, to be by them supported.

To pay arrears.

SEC. 3. *Be it further enacted*, That the inhabitants of said town of Wellington shall be holden to pay all arrears of taxes, which have been assessed upon them by said town of Dighton, and shall be entitled to receive, hold and enjoy, such proportion of all debts now due, and assessments already voted to said town of Dighton, and such proportion of all the privileges or property, real or personal, belonging to said town of Dighton, of what kind soever it may be, now owned in common by the inhabitants of said town, as the property of the inhabitants of said town of Wellington bears to the property of all the inhabitants of said town of Dighton, according to the last valuation thereof; and they shall be holden to pay their proportion, to be ascertained as aforesaid, of all the debts now due and owing from said town of Dighton.

Proviso.

SEC. 4. *Be it further enacted*. That in case the dividing line between said town of Dighton and said town of Wellington should happen to divide the farms of any of the inhabitants of either of said towns, the said inhabitants shall be taxed for the whole of their home farms in that town only where they may respectively dwell: *Provided, also, and be it further enacted*, That nothing in this act shall be construed so as to alter any parochial boundary, ministerial fund, burying ground, or any religious institution connected with any of the inhabitants of said town of Dighton.

Justice to issue warrant.

SEC. 5. *Be it further enacted*, That Thomas Baylies Richmond, Esq. one of the Justices of the Peace for the county of Bristol aforesaid, upon application therefor, be, and he hereby is authorised to issue his warrant directed to any freeholder of said town of Wellington, requiring him to notify and warn the inhabitants thereof to meet at such time and place as shall or may be appointed in said warrant for the election of all such town offi-

cers, as towns are by law authorised to choose at their annual town meetings.

[Approved by the Governor, June 9, 1814.]

CHAP. XII.

An Act to incorporate the Paris Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Elias Stowell, Albion K. Parris, Daniel Stowell, Seth Morse, William Stowell, Levi Hubbard, Henry Rust, Nathiel Bennet, Joseph Rust, Alfred Gates, Caleb Swift, George King, John Valentine, Joshua Crockett, Russel Hubbard, Austin Buck, Daniel Stowell, Jr. Levi Bartlett, and Nicholas Chesley, Jr. together with such other persons as have or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Paris Manufacturing Company, for the purpose of manufacturing cotton and wool at Paris, in the county of Oxford; and for this purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, eighteen hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations." Persons incorporated.

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton and wool, at Paris aforesaid. May hold real and personal estate

[Approved by the Governor, June 9, 1814.]

CHAP. XIII.

An Act to incorporate the Northbridge Cotton Manufacturing Company.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Paul Whitin, James Fletcher, Samuel Fletcher, Pliny Earle, Jonah Earle, Silas Earle, Timothy Earle, Charles Sabin, John Sabin and Joel Lackey, with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Northbridge Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Northbridge ; and for that purpose, shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled “An act defining the general powers and duties of Manufacturing Corporations.”

May hold real
and personal
estate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate not exceeding the value of fifty thousand dollars, and such personal estate not exceeding one hundred thousand dollars, as may be necessary and convenient for the carrying on the manufacture aforesaid.

[Approved by the Governor, June 9, 1814.]

CHAP. XIV.

An Act to fix the times and place for holding the Circuit Court of Common Pleas, in the county of Oxford.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Circuit Court of Common Pleas, in and for the county of Oxford, shall be

holden at Paris, in said county, on the first Tuesday in May, and on the first Tuesday of September, and on the last Tuesday of December annually. Times and places for holding court.

SEC. 2. *Be it further enacted,* That so much of the act, fixing the times and places for holding the Circuit Court of Common Pleas, in and for the several counties in this Commonwealth, as relates to the county of Oxford, be, and the same hereby is repealed. Act in part repealed.

SEC. 3. *Be it further enacted,* That this act shall be in force from and after the first day of July next.

SEC. 4. *Be it further enacted,* That all actions pending at, and all writs, recognizances and processes now made, or which may be made returnable to any of the aforesaid Courts, which, before the operation of this act, should have been holden at any other time or place, than those in this act affixed for holding said Courts, shall be returnable to, entered, made, and determined at the Court next to be holden in the county of Oxford, after said first day of July next, agreeable to the true intent of such writ, process, recognizance or appeal. Actions pending.

[Approved by the Governor, June 9, 1814.]

CHAP. XV.

An Act to alter the name of the town of Stroudwater, in the county of Cumberland.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the name of the town of Stroudwater, in the county of Cumberland, be, and the same hereby is altered to the name of Westbrook ; and that said town shall henceforth be known and called by the said last mentioned name ; any thing in the act where- Name of the Town altered.

[Approved by the Governor, June 9, 1814.]

CHAP. XVI.

An Act to establish the Farmers' Glass Factory.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Aldrich, John Sherman, Isaac Sherman, Rufus Darling, Asa Southwick and Ebenezer Pratt, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Farmers' Glass Manufacturing Company, in Clarksburgh, in the county of Berkshire, for the purpose of manufacturing glass in said Clarksburgh; and for the purpose aforesaid, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act passed the third day of March, in the year of our Lord eighteen hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

May hold real
and personal
estate.

SEC. 2. *Be it further enated*, That the said Corporation may be lawfully seized and possessed of such real estate not exceeding the value of ten thousand dollars, and such personal estate not exceeding twenty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid.

[Approved by the Governor, June 9, 1814.]

CHAP. XVII.

An Act to alter and establish the boundary line between the towns of Tyngsborough and Dunstable, in the county of Middlesex.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the boundary line between the towns of Tyngs-

borough and Dunstable, in the county of Middlesex, shall forever hereafter be known, fixed and established to be as follows, to wit : to begin at the Province line, Boundary line; at the westerly side of Cummings Pollard's land ; thence running southerly to a pine stump, known and called Well's corner, by the easterly side of Samuel Roby's land ; thence by said Roby's land to Isaac Wright's land ; thence by the easterly side of said Wright's land, and by the easterly side of Jonathan Procter's land, to a stake and stones, it being said Procter's southeasterly corner ; thence easterly to the present line between said towns ; thence southerly on the present line to Robert Brindley's land ; thence westerly by the northerly side of said Brindley's land to Massapeg Pond ; the said town of Tyngsborough being on the easterly and southerly side of said line, and the said town of Dunstable being on the westerly and northerly side of said line : and the above described line shall forever hereafter be known, fixed and established to be the true boundary line between said towns, any law to the contrary notwithstanding.

[Approved by the Governor, June 10, 1814.]

CHAP. XVIII.

An Act to set off Joseph Robinson from New-Braintree to Hardwick.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joseph Robinson, of New Braintree, in the county of Worcester, together with his family, and so much of his farm as now lies in New Braintree, and west of Ware River, be, and they are hereby set off from the said town of New-Braintree and annexed to the town of Hardwick ; and shall forever hereafter be subject to all the duties, and entitled to all the privileges of citizens and inhabitants of the town of Hardwick : *Provided however,* That the said Joseph Persons set off from town of New-Braintree. Proviso.

Robinson and his family, shall be liable to pay all taxes that have been lawfully assessed on him or them by the said town of New-Braintree.

Polls on real estate deducted. SEC. 2. *Be it further enacted*, That the amount of the estate of the said Robinson, and the polls thereon returned by the assessors of the said town of New Braintree, in the last valuation taken, as belonging to the said town of New Braintree, be deducted from the return made by said assessors, and added to the return made by the assessors of the town of Hardwick.

[Approved by the Governor, June 10, 1814.]

CHAP. XIX.

An Act to incorporate the Hampshire Agricultural Society.

Persons incorporated. SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Robert Cutler, Calvin Merrill, Rufus Cowles, Samuel F. Dickinson, Hezekiah W. Strong, Enos Baker, John Strong, Elijah Boltwood, Simeon Strong, Giles C. Kellogg, Horace Merrill, Charles Phelps, and Isaac Abercrombie, their associates and successors, be, and they are hereby made a Corporation, by the name of the Hampshire Agricultural Society, for the purpose of promoting agriculture ; and for this purpose shall have the same powers and privileges, and be subject to the like duties and restrictions, as the other incorporated Agricultural Societies in this Commonwealth ; and the Corporation may hold and possess real estate, not exceeding the value of five thousand dollars, and the annual income of its personal estate shall not exceed the value of three thousand dollars.

May hold real and personal estate.

Justice to issue warrant. SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hampshire, is hereby authorized to issue a warrant, directed to one of the members before named, requiring him to notify and warn the first meeting of said Society, to be held in Amherst, in said county, at such convenient time and place in said town as may be appointed in said warrant, to organ-

ize the said Society, by electing the necessary officers, and forming rules and regulations for the government of the Society.

[Approved by the Governor, June 11, 1814.]

CHAP. XX.

An Act in addition to an act, entitled an act to establish a Circuit Court of Common Pleas within this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing of this act, the counties of Nantucket and Dukes' county shall be annexed to the Southern Circuit, and that a Circuit Court of Common Pleas shall be holden by one or more of the Justices of said Court for the Southern Circuit, at Nantucket, within and for the county of Nantucket, on the second Monday of May and the first Monday of November annually; and at Edgarton, within and for the county of Dukes' county, on the third Monday of May and the second Monday of November annually. And all actions, suits, matters and things whatsoever, now pending in the Courts of Common Pleas, within and for the counties of Nantucket and Dukes' county, and all writs and processes of every kind whatsoever, returnable to said Courts of Common Pleas, and which would have had day therein if this act had not been passed, shall be sustained, returnable to, and have day in and be acted upon by said Circuit Court of Common Pleas, at the first term thereof, in each of the counties aforesaid; and all parties, jurors, witnesses and other persons, in any manner bound or held to appear in the Courts of Common Pleas, which would have been holden within and for the county of Nantucket, on the first Monday of October next, and within and for the county of Dukes' county, on the first Monday of November next, if this act had not been passed, shall be held and bound, under the same penalties, to appear in the said Circuit Court

Court established.

Place and times holden.

Actions, suits, writs and processes.

Parties, jurors, &c.

Power of the
Judge.

of Common Pleas, in each of the counties aforesaid, at the times appointed by this act. And the said Circuit Court of Common Pleas shall grant execution, to carry into effect any judgment heretofore rendered in either of the Courts of Common Pleas, within and for the counties of Nantucket and Dukes' county aforesaid, in the same manner as the said Courts of Common Pleas might and ought to have done, if this act had not been passed ; and one Justice of said Circuit Court of Common Pleas shall have all the power and authority for transacting the business of said Court, in the counties of Nantucket and Dukes' county, as a majority of said Court have and exercise in either of the counties of the Southern Circuit.

Power of the
Sheriff.

SEC. 2. *Be it further enacted*, That the several Sheriffs of the counties aforesaid, or their Deputies, or either of the Clerks of said Courts, in the counties aforesaid, in the absence of the Sheriffs aforesaid, shall respectively have power, by proclamation, to adjourn either of the Courts aforesaid from day to day, provided a Justice of said Court shall not arrive in season for holding the same ; and immediately on adjourning either of said Courts, by proclamation aforesaid, it shall be the duty of the Sheriffs or their Deputies, or the Clerks of said counties, to post up notifications of such adjournments, in two of the most public places in the towns of Nantucket and Edgarton, in the counties aforesaid.

Acts repealed.

SEC. 3. *Be it further enacted*, That all acts and parts of acts, establishing Courts of Common Pleas within and for the counties of Nantucket and Dukes' county, be, and the same are hereby repealed.

[Approved by the Governor, June 13, 1814.]

CHAP. XXI.

An Act in addition to an act, entitled an act to establish a fund for the support of the Gospel Ministry in the first Parish of the town of Groton, in the county of Middlesex, and to appoint Trustees for the management thereof.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the inhabitants of the town

of Groton be, and they are hereby authorised and empowered to sell, and execute a deed or deeds (by Luther Lawrence, Joseph Moors, and James Lewis, all of said Groton, or any two of them, a committee for that purpose) to convey the whole of the real estate devised to said town in and by the last will and testament of Josiah Sawtell, Esq. late of said Groton, deceased, for the support of a woman's school in said town, as expressed in said will ; and such deed or deeds, executed in due form of law, shall be valid and effectual to convey such real estate ; and the proceeds of such sale, deducting therefrom the expences thereof, shall be paid by said committee to the trustees of Groton ministerial fund ; and the same shall be denominated the "Sawtell School Fund."

Inhabitants empowered to sell and execute a deed.

SEC. 2. *Be it further enacted*, That it shall be the duty of said trustees to receive the proceeds of said sale from said committee ; and the said trustees shall loan, secure and preserve the same, in the same way and manner as is provided in an act, entitled an act to establish a fund for the support of the Gospel Ministry in the first Parish in the town of Groton, in the county of Middlesex, and to appoint trustees for the management thereof, to loan, secure and preserve the Groton ministerial fund.

Duty of Trustees.

SEC. 3. *Be it further enacted*, That the said trustees shall annually, forever hereafter, appropriate the income of the Sawtell school fund for the support of a woman's school in the district in which said real estate is situated, according to the intention of the donor, as expressed in said will.

Appropriation of income for the support of a school.

SEC. 4. *Be it further enacted*, That the said trustees shall cause to be recorded in a book to be kept for that purpose by their clerk, a statement of the Sawtell school fund, and the said trustees shall make a report in writing, of such statement, to said inhabitants at their meeting in the month of March or April annually.

Statement of the fund.

SEC. 5. *Be it further enacted*, That the said trustees shall be liable to the same penalties and forfeitures for negligence or misconduct in the management or disposition of the Sawtell school fund, to which they are liable for negligence or misconduct in the management or disposition of the Groton ministerial fund, by virtue of the act last mentioned.

Penalties and forfeitures.

To recover
penalties and
forfeitures.

SEC. 6. *Be it further enacted*, That the inhabitants of said town may sue for and recover, in an action of debt against the said trustees, the penalties and forfeitures, which the said trustees may incur by reason of their negligence or misconduct in the management or disposition of the Sawtell school fund ; and the penalties and forfeitures, recovered as aforesaid, shall enure to, and be for the benefit of the Sawtell school fund.

[Approved by the Governor, June 13, 1814.]

CHAP. XXII.

An Act in addition to an act, entitled an act to prevent the destruction of Alewives and other fish in Ipswich river, and to encourage the increase of the same, passed the twenty eighth day of March, in the year of our Lord one thousand seven hundred and eighty eight.

Taking of Ale-
wives unlawful.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, it shall not be lawful for any person to take any of the fish called Shad or Alewives, within four rods next below the foot of a sluiceway, nor within two rods of the side of a sluiceway of any mill dam or dams, now erected, or hereafter to be erected, on that part of said Ipswich river, which lies below Flint's or Merriam's mills, (except Burnham's mills, so called) or any stream or streams running from any natural pond into said river, (except Mile's river, so called) ; and any and every person so offending, shall forfeit and pay a fine of five dollars.

Fine and for-
feiture.

Shall not place
obstructions in
the river.

SEC. 2. *Be it further enacted*, That each and every person who, after the passing of this act, shall make any wear, or place any other obstruction in said river, or in the flooms of any mills, for the purpose of hindering or

retarding the passage of said fish, shall forfeit and pay for each and every such offence, a fine not exceeding twenty dollars, nor less than ten dollars.

SEC. 3. *Be it further enacted*, That no person shall be allowed to use any machinery for taking said fish, other than dip or drag nets and seines (nor in any place in the aforesaid river and streams, excepting such places as are appointed and allowed by the fish committee of the respective towns bordering upon said river) nor shall any person take any of said fish with seines or drag nets in said river and streams, between eight of the clock in the evening and sun rising; and every person who shall offend, in either of the above particulars shall, for each and every such offence, forfeit and pay a sum not exceeding twenty dollars, nor less than ten dollars.

SEC. 4. *Be it further enacted*, That all fines and forfeitures, which may be incurred by any breach of this act, shall be recovered and disposed of, in the same manner as is provided in the act, to which this is in an addition, and that it shall be the duty of the fish committees in the several towns bordering upon Ipswich river, jointly or severally, to cause this act to be duly observed, and to inform against any person or persons, who may offend against the said act.

[Approved by the Governor, June 13, 1814.]

CHAP. XXIII.

An Act to incorporate the President, Directors and Company of the Pawtucket Bank.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Oliver Starkweather, Benjamin S. Wolcot, James Ellis, Eliphalet Slack, Lemuel Bishop, Remember Kent, Elijah Ingraham, David Bucklin, Abiathar Richardson, jun. Jubel Ingraham and Jesse May, their associates, successors and assigns, shall be, and hereby are created a Corporation, by the name of the President, Directors and Company of the

Time incorporated for.

Pawtucket Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty-one ; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record or any place whatever, and also to make, have and use a common seal, and to ordain, establish and put in execution, such bye-laws, ordinances and regulations, as to them shall appear necessary and convenient for the government of the said Corporation, and the prudent management of their affairs : *Provided*, Such bye-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth ; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Proviso.

Amount of capital stock and of each share.

SEC. 2. *Be it further enacted*, That the capital stock of said Corporation shall consist of the sum of one hundred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid in four equal instalments ; the first on the first day of November next ; the second on the first day of June next after ; the third on the first day of December next after, and the fourth on the first day of June next after ; and the Stockholders, at their first meeting, shall, by a majority of votes, determine the mode of transferring and disposing of said stock and the profits thereof, which being entered on the books of said Corporation, shall be binding on the Stockholders, their successors and assigns : And the said Corporation are hereby made capable in law, to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments to the amount of thirty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their monies and effects, by discounting, on banking principles, on such security as they shall think proper : *Provided however*, That nothing herein contained, shall restrain or prevent the said Corporation from taking and holding real estate, in mortgage or on execution, to any amount, as security for, or in payment for any debt due to the said Corporation ;

Proviso.

and provided further, that no money shall be loaned or discounts made, nor shall any bills or promissory notes, be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver, in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations and provisions which are provided in and by the third section of an act, entitled "An act to incorporate the President, Directors and Company of the State Bank, shall be binding on the Bank hereby established; *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of twenty thousand dollars, and the number of Directors to be annually chosen shall be nine, five of whom at least shall be inhabitants of and residents in this Commonwealth, and accountable for the doings of the whole board, and five also may constitute a quorum for the transacting of business; *and provided also*, That the amount of debts at any time due from said Bank, shall not exceed double the amount of their capital stock actually paid in.

Provide.

Debts not to exceed double the amount of capital stock.

SEC. 4. *Be it further enacted*, That the said Bank shall be established and kept in the town of Seekonk.

SEC. 5. *Be it further enacted*, That whenever the Commonwealth may require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding twenty thousand dollars at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payments of interest at a rate not exceeding five per centum per annum: *Provided* however, That the Commonwealth shall never, at any one time, stand indebted to the said Corporation, without their consent, for a larger sum than thirty thousand dollars.

Shall loan to the Commonwealth.

Provide.

SEC. 6. *Be it further enacted*, That any committee specially appointed by the Legislature for that purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults; and if upon such examination it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said

Legislative committee may examine books, &c.

Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions or conditions in this act provided, the Incorporation shall thereupon be declared forfeited and void.

May call a meeting.

SEC. 7. *Be it further enacted*, That the persons herein before named, or a majority of them, are authorised to call a meeting of the Members and Stockholders of said Corporation, as soon as may be, at such time and place as they may see fit, by advertising the same three weeks successively in the New-Bedford Mercury, printed in New-Bedford, and by posting notifications in one or more public places in the town of Seekonk, for the purpose of making, ordaining and establishing such bye laws, ordinances and regulations for the orderly conducting the affairs of said Corporation, as the Stockholders shall deem necessary, and for the choice of the first Board of Directors and such other officers as they shall see fit to choose.

- Shall transmit statement of accounts.

SEC. 8. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of the debts due the same, of the monies deposited therein, and of the notes in circulation, and of the gold, silver and copper coin, and the bills of other Banks on hand ; which statement shall be signed by the Directors and attested by the Cashier, and shall be verified by oath before some person competent to administer the same.

Commonwealth may subscribe.

SEC. 9. *Be it further enacted*, That the Commonwealth shall have a right, whenever the Legislature shall make provision by law, to subscribe on account of the Commonwealth, a sum not exceeding fifty thousand dollars, to be added to the capital stock of said Company, subject to such rules, regulations and provisions as shall be by the Legislature made and established as to the management thereof.

Shall pay counterfeit notes.

SEC. 10. *Be it further enacted*, That the said Corporation shall be liable to pay to any bona-fide holder, the original amount on any note of said Bank, altered

in the course of its circulation to a larger amount, notwithstanding such alteration.

SEC. 11. *Be it further enacted*, That the said Corporation, from and after the first day of April next, shall pay, by way of tax, to the Treasurer of this Commonwealth, for the use of the same, within ten days after the first Mondays of April and October annually, the half of one per cent on the amount of the original stock which shall have actually been paid in : *Provided how-* Proviso.
ever, That the same tax, payable in manner aforesaid, shall be required by the Legislature of all Banks hereafter incorporated within this Commonwealth ; *and provided further*, That nothing herein contained shall be construed to impair the rights of the Legislature, to lay a tax or exercise upon any Bank already incorporated under the authority of this Commonwealth, whenever they may think proper so to do.

SEC. 12. *Be it further enacted*, That one tenth part Amount to be appropriated to loans. of the whole fund of said Bank shall always be appropriated to loans, to be made to the citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest ; which loans shall be made in sums not less than one hundred dollars, nor more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to Security. the satisfaction of the Directors of said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and right of redemption as is by law provided in other cases.

[Approved by the Governor, June 13, 1814.]

CHAP. XXIV.

An Act to establish a Corporation by the name of the Granville and Tolland Turnpike Corporation.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Gad Hamilton, Allen Bid-

Persons incor-
porated.

well, Jonathan Hamilton and Perry Babcock, together with such other persons as shall associate with them, their successors and assigns, be, and they hereby are made a Corporation and body politic, by the name of the Granville and Tolland Turnpike Corporation, for the purpose of making a turnpike road on the route, which the sixteenth Massachusetts Turnpike Corporation contemplated from the west line of West Springfield to Southwick Meeting-House; thence westward to Tolland by the east and west Meeting-Houses in Granville; thence by Tolland Meeting-House to the turnpike road in Sandersfield, leading from Hartford to Albany, with such alterations from the former laying of said road as the Corporation may agree to, and for keeping the same in repair; and for this purpose, shall have all the powers and privileges, and be subject to all the duties, requirements and penalties contained in an act, entitled "An act defining the general powers and duties of Turnpike Corporations," made and passed on the sixteenth day of March, in the year of our Lord one thousand eight hundred and five, and any acts which have been made in addition thereto: *Provided*, That the said Corporation may, and they hereby are authorised to make the travelled part of said road only eighteen feet in width, any thing in the said general Turnpike Act to the contrary notwithstanding.

Proviso.

[Approved by the Governor, June 13, 1814.]

CHAP. XXV.

An Act to establish the town of Sangerville in the county of Hancock.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered four, in the sixth range of townships north of the Waldo Patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is

Name of town. established as a town, by the name of Sangerville, viz. :

north by a line drawn on the middle of the river Piscataquis ; east by the township numbered three, in the sixth range ; south by the township numbered four, in the fifth range ; and west by the township numbered five, in the sixth range of townships : And the inhabitants of the said town of Sangerville are hereby vested with all the corporate powers and privileges, and shall also be subject to the same duties and requisitions as other corporate towns, according to the constitution and laws of this Commonwealth.

Boundaries described.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hancock, is hereby empowered, upon application therefor, to issue a warrant directed to a freehold inhabitant of the said town of Sangerville, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose and appoint at their annual town meetings.

Justice to issue warrant.

[Approved by the Governor, June 13, 1814.]

CHAP. XXVI.

An Act to incorporate the Proprietors of the Bangor Athenæum.

WHEREAS the persons herein after named, have associated for the purpose of collecting a Library of rare and valuable books ; of establishing a Reading-room in the town of Bangor, for the deposit of the principal newspapers, periodical works, charts and maps, published in this and other countries ; and whereas it is the further design of said associates, as far as their funds from time to time shall admit, to form a collection of all the various fossils, plants and other natural and artificial curiosities and productions which are to be found in that part of the country : Therefore,

Preamble.

SEC. 1. *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Joseph Whipple, Samuel K.

Persons incor-
porated.

May hold pro-
perty and a-
mount.

May hold by
donation, goods
and effects.

May sell estate
and other ef-
fects.

Powers.

Whiting, James B. Fiske, William D. Williamson, Samuel E. Dutton, Amos Patten, Thomas A. Hill, Charles Hammond, John Emerson and William Emerson, together with such other person or persons as shall from time to time be admitted members of the said Association, according to the rules, orders and conditions which shall or may from time to time be established by the bye-laws or regulations of the Corporation herein created, shall forever hereafter be, and they hereby are created a body politic and corporate, by the name of the Proprietors of the Bangor Athenæum; and by the said name shall and may sue and be sued, plead and be impleaded, defend and be defended in all and any Court or Courts of law or elsewhere, in all manner of actions, suits, pleas or controversies whatsoever, and in their said corporate capacity and by their said name, they and their successors shall be capable in law to purchase, receive, have, hold, take, possess and enjoy in fee simple or otherwise, lands, tenements, rents and hereditaments, not exceeding in the whole the yearly value of one thousand dollars, exclusive of the building or buildings which may be actually occupied or used for the literary purposes aforesaid; and the said Corporation shall be capable of taking, receiving and holding by donation, subscription, bequest or otherwise, money, goods, chattels, effects and credits, to an amount, the yearly value of which shall not exceed two thousand dollars, so as that the estate aforesaid be appropriated for the purposes aforesaid, and for the promotion of literature, of the arts and sciences, and not otherwise: and moreover, the said Corporation shall have power to give, grant, sell, alien, convey, exchange or lease all or any part of their lands, tenements and other property whatsoever, for the benefit and advantage of said Corporation.

SEC. 2. *Be it further enacted*, That it shall and may be lawful for the said Corporation to have a common seal for their use and benefit, with full power to alter, change and renew it, whenever they shall think the same expedient.

SEC. 3. *Be it further enacted*, That the said Corporation shall have full power and authority to determine at what times and places their meetings shall be

holden, and on the manner of notifying the associates or proprietors to convene at such meetings ; and they shall have power to elect once in every year or oftener, from amongst the said proprietors, such officers, with such powers, as they shall judge expedient ; and also further to ordain and enact any bye-laws for the due govern-
Bye-laws.
 ment of the said Corporation, and for the due and orderly conducting of the affairs thereof ; and for and concerning all matters and things relating to said Corporation, and the same at pleasure to alter, amend, or repeal : *Provided however,* That the powers vested in
Proviso.
 their said officers and the said bye-laws shall not be repugnant to the constitution and laws of this Commonwealth.

SEC. 4. *Be it further enacted,* That for the giving the more effectual sanction to the said bye-laws, the said proprietors shall have power to impose suitable fines,
Fines.
 not exceeding five dollars for any one offence, for the non-fulfilment, or breach of the same ; and that for the recovery thereof the said Corporation shall have a suitable remedy by action at law, in any court of law within this Commonwealth proper to try the same.

SEC. 5. *Be it further enacted,* That whenever any proprietor shall neglect or refuse to pay any assessment duly imposed upon his share or shares, in said Corporation, for the space of sixty days after the time set for the payment thereof, the Treasurer of the said Corpora-
Treasurer empowered to sell shares.
 tion is hereby authorised to sell, at public vendue, the share or shares of such delinquent proprietor, after duly notifying, in two or more public places in the said town of Bangor, or in any newspaper which may be printed in said town of Bangor, the sum due on such share or shares, and the time and place of sale, at least fourteen days before the time of sale ; and such sale shall be a sufficient transfer of the share or shares so sold, to the person purchasing, and upon producing a certificate of such sale, from such Treasurer, such purchaser shall be entitled to a transfer of the share or shares so sold, on the book of the Corporation, and shall be considered to all intents and purposes the proprietor thereof ; and the overplus of such sale, if any there be after payment of such assessment and incidental charges, shall be

paid on demand, by such Treasurer, to the person whose share or shares were so sold as is before provided.

May call meet-
ing.

SEC. 6. *Be it further enacted*, That the said trustees before named, or any three of them, shall have power to call the first meeting of the said proprietors, by advertising the same seven days before the time of such meeting, in two or more public places in said town of Bangor; and that at the said meeting, the said proprietors may proceed to execute any or all the powers vested in them by this act.

[Approved by the Governor, June 13, 1814.]

CHAP. XXVII.

An Act to incorporate the Union Religious Society in
Hallowell and Augusta.

Persons incor-
porated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That John Davis, Joseph Chandler, Joel K. Ellis, Samuel Titcomb, John S. Kimball, Benjamin Ross, Robert C. Vose, Phillip W. Peck, Alexander Orrok, Jesse Robinson, Joshua Gage, James Burton, John Means, Shubael Pitts, Jonathan Prescott, Chase Avery, George Haslet, Ebenezer Tucker Warren, Gideon Farrell, Ariel Mann, William Clark, Ichabod Nutter, William A. Wingate, Benjamin Davenport, Moses H. Rollins, Joshua Carr, William Morse, Ebenezer White, Benjamin Darbon, William West, Lewis Sargent, Joshua Wingate, Benjamin Plummer, Arthur Lithgow, Cyrus Guild, Samuel Livermore, Aaron Healy, Isaac Carter, Nathaniel Cheever, Thomas B. Coolidge, Ephraim Mayo, Simeon Norris, Samuel Carr, John Dunn, Thomas Metcalf, James Smiley, Stephen Tuckerman, Francis Norris, James Burton, jr. Thomas Fillebrown, jr. Benjamin Haslet, and Peletiah Morrill, together with such others as have, or may hereafter join said society, and their successors, together with their polls and estates, be and they hereby are incorporated into a Society or body politic, by the name of the Union

Religious Society in Hallowell and Augusta ; and the said Society are hereby invested with full power and authority to assess, and collect of the members belonging to said Parish, for the purpose of maintaining the public worship of God therein, and for maintaining their instructor of piety, religion and morality, and for erecting a house of public worship, and repairing the same from time to time, such monies as are or may be necessary for those purposes ; and they are hereby vested with such powers, privileges and immunities, as any other religious society does or may enjoy by the laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That if any other persons may hereafter incline to join said Union Religious Society, in either of the towns of Hallowell or Augusta aforesaid, and shall leave a certificate of the same, signed by the Clerk of said parish, with the Clerk of the town to which he or they may respectively belong, he or they with his or their polls and estates, shall be considered as belonging to said Union Religious Society, in the same manner as though he or they were incorporated by name in this act ; and whenever any person or persons belonging to said Union Religious Society shall see cause to leave the same, and unite with any other religious parish or society, and shall leave with the Clerk of said Union Religious Society a certificate of the same, signed by the Clerk of the parish or other religious society with which he or they may have united, he or they, with his or their polls and estates, shall be discharged from said Union Religious Society, and annexed to the parish or society to which he or they may have joined themselves.

Manner of becoming a member.

Manner of leaving the Society.

SEC. 3. *Be it further enacted*, That the said Union Religious Society be, and they hereby are empowered to raise and establish a fund, in such way and manner as they may see fit, the annual income or interest of which shall not exceed the sum of two thousand dollars ; the said income or interest, or so much thereof as shall be necessary, to be appropriated to the support of a minister of the gospel.

Power to establish a fund for support of Minister.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Kennebeck, upon application

Justice to issue warrant.

therefor, may issue his warrant, directed to some member of said Union Religious Society, requiring him to notify and warn the members of said Society to meet at such convenient time and place as shall be appointed in said warrant, to choose such officers as parishes are by law required to choose at their annual parish meetings; and all acts and doings of all such officers so chosen, shall be legal and binding until others are chosen in their stead, as if they were chosen at any annual meeting of said parish or religious society, any law to the contrary notwithstanding.

[Approved by the Governor, June 13, 1814.]

CHAP. XXVIII.

An Act to annex Joseph Wingate, jun. with his family and estate, and certain land of Wingate Carr, to the town of Hallowell.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joseph Wingate, jun. of Winthrop, in the county of Kennebeck, with his family, and the lot of land on which he now lives, together with the land of Wingate Carr, of Hallowell, adjoining the said Joseph Wingate's lot, in the said town of Winthrop, be, and the same are hereby set off from the town of Winthrop, and annexed to the town of Hallowell in the same county, and shall hereafter be considered a part of the same; the said Joseph Wingate, jun. there to do the duties and enjoy the privileges thereof, as the other inhabitants of the said town of Hallowell. *Provided nevertheless,* That the said Joseph Wingate, jun. and Wingate Carr, shall be holden to pay all taxes which have been legally assessed on them by the said town of Winthrop, prior to the passing of this act, in the same manner as if it had not been made.*

[Approved by the Governor, June 13, 1814.]

Persons set off
from town of
Winthrop.

Proviso.

CHAP. XXIX.

An Act to alter the times of holding the Circuit Court of Common Pleas and Courts of Sessions in the county of Washington.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the Circuit Court of Common Pleas, and the Court of Sessions, to be respectively holden within and for the county of Washington in this Commonwealth, shall each be holden at Machias, in said county, from and after the time of passing this act, on the first Tuesdays of September and March annually, instead of the times heretofore established by law; and that all actions and matters whatsoever pending at, and all writs, recognizances, petitions, warrants, reports, appeals, and processes whatever, now made, and which may be made returnable to either of the Courts aforesaid, which but for the operation of this act should have been holden at any other times than those hereby appointed for holding such Courts, shall be returned to, be entered and have day in, be proceeded upon and determined by said Courts, respectively, according to their respective jurisdictions, and agreeable to the true intent thereof, at their respective sessions to be holden according to the provisions of this act, any law to the contrary notwithstanding.

Times and places for holding court.

[Approved by the Governor, June 13, 1814.]

CHAP. XXX.

An Act to annex David McGaffey and others, with their estates, to the town of Mount Vernon.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That David McGaffey, James

To annex persons to the town of Mount Vernon.

McGaffey, Moses Robinson and James Robinson, with their families and estates, being on the lots numbered nineteen, twenty and twenty-one, in the town of Rome, and bounded on the north line of the town of Mount Vernon, be, and they are hereby annexed to the said town of Mount Vernon; and the persons before named, shall there have right to exercise and enjoy all the rights and privileges, and shall also be subject to all the duties and requisitions, as the other inhabitants of the said town of Mount Vernon: *Provided however*, That the said David McGaffey, James McGaffey, Moses Robinson and James Robinson, shall be holden to pay all taxes which have been or may be legally assessed upon them the present year.

Proviso:

[Approved by the Governor, June 14, 1814.]

CHAP. XXXI.

An Act making further provision for apportioning county Taxes, which have been granted for the year eighteen hundred and fourteen.

Clerks to apportion and assess taxes.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the several Clerks of the Judicial Courts resident in each county in the Commonwealth, are hereby authorised, at any time in the month of June or July, in the year of our Lord one thousand eight hundred and fourteen, to apportion and assess the county taxes that have been granted for the year aforesaid for their respective counties, according to the apportionment for the last year, and they are hereby severally authorised to issue their warrants therefor accordingly, returnable in ninety days from the time of such apportionment.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXII.

An Act authorising the sale of the School lands, in the town of Raymond.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Stephen Swett, Esq. Samuel Leach, Daniel Small, Joseph Wight, and William Dingley be, and they are hereby appointed Trustees to sell the School lands in the town of Raymond, and to put out at interest the monies arising from such sale, in manner hereinafter mentioned ; and for that purpose,*

Trustees appointed.

SEC. 2. *Be it further enacted, That the said Trustees be, and they are hereby incorporated into a body politic, by the name of The Trustees of the School Fund in the town of Raymond, in the county of Cumberland, and they and their successors shall be and continue a body politic and corporate by that name forever, and they may sue and be sued, in all actions, real, personal and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid.*

Trustees incorporated.

SEC. 3. *Be it further enacted, That the said Trustees and their successors shall and may annually elect a President, and Clerk to record the doings and transactions of the Trustees at their meetings, and a Treasurer to receive and apply the monies herein after mentioned, as herein after directed.*

Empowered to elect officers.

SEC. 4. *Be it further enacted, That the number of Trustees shall not at any one time be more than five nor less than three, any three of their number to constitute a quorum for transacting business ; and they shall and may, from time to time, fill up vacancies in their number, which may happen by death, resignation or otherwise, from the inhabitants of said town ; and shall also have power to remove any of their number, who may become unfit and incapable, from age, infirmity, misconduct or any other cause, of discharging their duty, and to supply a vacancy so made by a new choice from the town aforesaid : and the said Trustees shall annually*

Number of Trustees.

Annual meeting of Trustees.

hold a meeting in March or April, and as much oftener as may be found necessary to transact their necessary business; which meetings, after the first, shall be called in such way and manner as the said Trustees shall direct.

Authorised to sell lands.

SEC. 5. *Be it further enacted*, That said Trustees be, and they are hereby authorised to sell and convey, in fee simple, all the School lands belonging to said town of Raymond, and to make, execute and acknowledge a good and sufficient deed or deeds thereof, which deed or deeds, subscribed by the name of their Treasurer, by direction of said Trustees, with their seal thereto affixed, shall be good and effectual in law, to pass and convey the fee simple from said town to the purchaser, to all intents and purposes whatever.

Duty of Trustees.

SEC. 6. *Be it further enacted*, That the monies arising from the sale of said lands, shall be put at interest as soon as may be, and secured by mortgage of real estate to the value of the estate sold, or by two or more sufficient sureties with the principal, unless said Trustees shall think proper to invest the same in stock of any of the incorporated Banks of this Commonwealth, which they may do.

Interest, how applied.

SEC. 7. *Be it further enacted*, That said Trustees shall annually apply the interest arising from the fund aforesaid to the support of schools in said town, in such way and manner as the inhabitants thereof in legal town meeting shall direct; and it shall never be in the power of said town to alienate or any wise alter the appropriation of the fund aforesaid.

Duties of the Treasurer.

SEC. 8. *Be it further enacted*, That the Clerk of said Corporation shall be sworn, previous to his entering on the duties of his office, and the Treasurer of the Trustees shall give bonds faithfully to perform his duty, conformably to the true intent and meaning of this act, and for all negligence or misconduct of any kind in his office.

Compensation of Trustees.

SEC. 9. *Be it further enacted*, That the Trustees or their officers, for any service they may perform, shall be entitled to no compensation out of any money arising from the fund aforesaid; but if entitled to any, shall have and receive the same of said town, as may be mutually agreed on.

SEC. 10. *Be it further enacted*, That the said Trustees and their successors, shall exhibit to the town, at their annual meeting in March or April, a regular and fair statement of their doings; and said Trustees, and each of them, shall be responsible to the town for their personal negligence or misconduct, whether they be officers or not, and liable to a suit for any loss or damage arising thereby, the debt or damage recovered in such suit to be for the use aforesaid.

Trustees to exhibit a statement of their doings.

SEC. 11. *Be it further enacted*, That Stephen Sweet, Esq. be, and he hereby is authorised to fix the time and place for holding the first meeting of said Trustees, and to notify each Trustee thereof.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXIII.

An Act to establish the town of Hermon, in the county of Hancock.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the township numbered two in the second range of townships north of the Waldo patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is established as a town, by the name of Hermon, viz. : East by the town of Bangor; south by the town of Hampden; west by the town of Carmel; and north, partly by the town of Levant, and partly by the township numbered one in the third range of townships; and the inhabitants of said town of Hermon, are hereby vested with all the corporate powers and privileges, and shall also be subject to the same duties and requisitions, as other corporate towns, according to the constitution and laws of this Commonwealth.

Town is incorporated.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Hancock, is hereby empowered upon application therefor, to issue a warrant directed to a freehold inhabitant of the said town of Hermon, re-

Justice to issue warrant.

quiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place as shall be appointed in the said warrant, for the choice of such officers as towns are by law required to choose and appoint at their annual town meetings.

[Approved by the Governor, June 13, 1814.]

CHAP. XXXIV.

An Act to alter the time of holding the Circuit Court of Common Pleas within and for the county of Berkshire.

Time and place
for holding
court.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Circuit Court of Common Pleas, now appointed by law to be holden at Lenox, within and for the county of Berkshire, on the third Monday of September annually, shall, from and after passing this act, be holden at Lenox, within and for the said county, on the fourth Monday of September annually.

Petitions, re-
cognizances,
&c.

SEC. 2. *Be it further enacted,* That all recognizances, warrants, complaints, and every other process, precept, matter and thing returnable to said Court, on the third Monday of September next, and all parties and persons, that have been, or may be required or directed to appear and attend at the time and place first above-mentioned, and all actions, indictments, suits, matters and things, now pending in said Court, in said county, shall be returned to, entered, appear, and attend, have day, be heard, tried and determined at the term thereof, appointed by this act to be holden on the fourth Monday in September next.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXV.

An Act to annex William Fairbanks, Jesse Gay and Aaron Hiscock, with their families and estates to the third Parish in Dedham.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That William Fairbanks, Jesse Gay, and Aaron Hiscock, with their families and estates, To annex persons to the second parish in Dedham. be and hereby are set off from the second to the third Parish in Dedham, and shall hereafter be considered as a part of the same: *Provided nevertheless*, That the Proviso. said Fairbanks, Gay and Hiscock, shall be holden to pay their proportionable part of all taxes, which, prior to the passing of this act, have been assessed and remain unpaid.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVI.

An Act providing compensation for the Register of Probate for the county of Cumberland.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Treasurer of the county of Cumberland, be, and he is hereby authorised and directed to pay to the Register of Probate, for the time being, of said county, such sum, which, together with the legal fees which the said Register may have received or been entitled to receive, shall amount to three hundred and fifty dollars annually, from and after the first day of January last: *Provided however*, The said Register Pay to Register of Probate. shall keep an exact account of all the fees he may have received, or have been entitled to receive for his services in said office, and shall present such account, attested by the Judge of Probate for said county, to the said Treas-

surer, for his information, at the end of each year, and previous to the payment of the sum aforesaid.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVII.

An Act in addition to an act, entitled “An act, establishing the tenth Massachusetts Turnpike Corporation.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the tenth Massachusetts Turnpike Corporation be, and they hereby are authorised to remove their gate, standing near the house of Augustus Staunton in Hancock, in the county of Berkshire, west, to or near the Cold Spring, so called, in said Hancock, and when so removed, said Corporation are authorised to demand and receive the same rate of toll at said gate, as by law they may now receive at their other gates : *Provided however,* That the inhabitants of Pittsfield, Hancock, and Richmond, the Shakers at New-Lebanon, in the State of New-York, and also, all persons passing said gate who have travelled through the Shaker Village, in said Hancock, or from West-Stockbridge through Richmond, or who may be passing from New-Lebanon through Richmond to West-Stockbridge, or through the Shaker Village in Hancock, shall be wholly exempt from paying toll at said gate.

Authorised to
remove their
gate.

Proviso.

SEC. 2. *Be it further enacted,* That it shall be the duty of said Corporation, to erect in a conspicuous place at their gate aforesaid, a board with these words thereon, in large and legible characters, “persons passing through West-Stockbridge or the Hancock Shaker Village, pay no toll.”

Toll Free.

SEC. 3. *Be it further enacted,* That every traveller being about to pass said gate, and claiming to be exempt by the provisions of this act from the payment of toll, shall, if required by the toll gatherer, state the road he has travelled or is travelling ; and whoever shall, for the purpose of avoiding the payment of toll at said gate,

Fine and for-
feiture.

willfully give a false account to said toll gatherer, and thereby pass the gate toll free, shall forfeit and pay to the use of said Corporation, for every such offence, the sum of ten dollars, to be recovered by the Treasurer of said Corporation by action of debt.

SEC. 4. *Be it further enacted*, That said Corporation may purchase and hold real estate to the value of three thousand dollars, in addition to the sum they are now by law authorised to hold. May hold real estate.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXVIII.

An Act to regulate the taking of the fish called English Herring.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person or persons between the easterly side of Damascotta river, and the westerly side of New Meadows river, or on the sea-shore or islands between those two rivers, to take the fish called English Herring, in any other way than by set nets, excepting what may be caught in wears and hedges, before the first day of September, in each year. Shall not take fish any other way than by net.

SEC. 2. *Be it further enacted*, That if any person shall practice driving with torches, or other lights, or making use of dip nets, for the purpose of taking said fish, within the limits aforementioned, every such person shall forfeit and pay the sum of twenty dollars, to be recovered by action of debt, in any court proper to try the same; one half thereof to be paid to the informer or prosecutor, and the other half to the town within whose jurisdiction the offence may be committed, Fine and forfeiture.

SEC. 3. *Be it further enacted*, That the inhabitants of any town within the limits aforesaid, at their annual meetings in March or April, be, and hereby are empowered to choose a Committee of three or more persons, whose duty it shall be, to see that this law be observed Power and duty of Committee.

and kept, and each person so chosen shall take an oath, faithfully to discharge the duty required of him ; and if the inhabitants of any town within the limits aforesaid, at one of the meetings aforesaid, in each year, shall neglect to choose such Committee, the town thus neglecting, shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, in any Court proper to try the same, one half thereof to the use of the prosecutor, and the other half to the use of the county in which such town shall lie.

Shall not set
net where the
river is not
more than half
mile wide.

SEC. 4. *Be it further enacted,* That from and after the passing of this act, it shall not be lawful for any person, within the limits aforesaid, to set a net across the mouth of any harbor, creek, or inlet, where the same is not more than half a mile wide, under the penalty of ten dollars, for each offence, to be recovered by action of debt, and disposed of as aforesaid.

[Approved by the Governor, June 14, 1814.]

CHAP. XXXIX.

An Act to establish The Boston and Roxbury Mill Corporation.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Isaac P. Davis, Uriah Cotting, and William Brown, their associates, successors and assigns, be, and they are hereby made a body politic and corporate, by the name of The Boston and Roxbury Mill Corporation ; and by that name may sue and be sued, prosecute and be prosecuted to final judgment and execution : And said Corporation shall have power to make and use a common seal, and the same to break and alter at pleasure, and may from time to time make by-laws for the regulation of the affairs of the corporation ; *Provided,* The same be not repugnant to the laws of the Commonwealth ; may purchase and hold real and personal estate, (not exceeding in value two millions of dollars,) necessary to promote the objects of the corpo-

Persons incor-
porated.

Proviso.

May hold real
and personal
estate.

ration; and in general, may do and suffer all other acts and things, which bodies corporate may or ought to do and suffer.

SEC. 2. *Be it further enacted,* That said corporation ^{May build a} shall have power to build a Dam from Charles-Street, ^{Dam.} at the westerly end of Bacon-Street in Boston, to the upland at Sewall's point, so called, in Brookline, and as near as may be to the north side of tide-mill creek, which Dam shall not be less than forty-two feet wide on the top, and made so as effectually to exclude the tide water, and to form a reservoir or empty basin of the space between said Dam and Boston neck; and said Corporation shall have power to build a Dam from Boston to South Boston, not northerly or easterly of South Boston bridge, with gates, sluiceways, and other things necessary to admit and detain the tide water between said Dam and Boston neck, at the height of common tides; and shall make in said Dam a good and sufficient lock, for the passage of rafts containing not less than ten thousand feet of timber or boards, of vessels and boats, burthen from ten to one hundred and fifty tons, and boats and barges of any dimensions, loaded with powder, to and from said basin, free of toll: *Provided,* ^{Proviso.} That no vessel of less than fifty tons burthen, shall have a right to pass said lock, at any other time than at or near high water; all vessels however lying in said basin, paying to said Corporation the customary dockage of the town of Boston, excepting where they shall lay at the wharves of any person, who in such case may charge and receive the same to their own account. And the said Corporation may run a Dam from Gravelly point in said Roxbury, to the Dam first above described, so as to inclose the tide water within tide-mill creek, and may connect the same with the full basin on the east, by a canal, of at least one hundred feet wide, to be cut in some convenient place from said creek to the canal by Davis' works in said Roxbury, and may raise the banks of said canal and dike, the borders of the marshes on the easterly bank of said creek, so as to prevent the tide from flowing at any time into the empty basin, and boats ^{Boats may pass} and other things may pass and repass in said Canal at ^{free of toll.} all time free of toll. And if said Corporation shall fail

Penalties and
forfeitures.

May lease and
sell the right of
using the wa-
ters,

May make a
road.

Proviso.

for the space of three years, from the passing of this act, to secure the tide waters as aforesaid, within said tide mill creek, and to connect said creek to the said full basin on the east as is above described, then the Legislature may compel the execution thereof, upon such terms, and under such penalties and forfeitures, as it may think proper to impose. And the said Corporation may cut any number of convenient race ways, from the full basin to the empty basin aforesaid, may maintain and keep up all their said works forever, and may lease or sell the right of using the water, and upon any terms, and in any manner they may think proper ; and no person shall have a right to dispose of said water, without the consent of said Corporation.

SEC. 3. *Be it further enacted*, That the said Corporation shall have power to make and finish the Dam, in this act first mentioned, and connect the different parts thereof by bridges and causeways, so as to render the same a good and substantial road, suitable for the passing of men, loaded teams, carts, and carriages of all kinds, and shall open a road not more than eighty feet and not less than forty-two feet wide, from some point of said Dam, where it crosses the marshes in Brookline, to the end of the Worcester Turnpike, near the Punch-bowl tavern, so called, in said Brookline, which road shall be made in a straight line, as nearly as can be done with convenience ; and when the road on said Dam shall be finished, railed at the sides, and furnished with lamps to the satisfaction of the Selectmen of Boston, the said Corporation may receive toll for passing over the same, at the same rate as is now granted to the Proprietors of the West Boston Bridge : *Provided*, That no toll shall be received as aforesaid, until said Dam, and the Dam from Boston to South Boston, with the lock therein shall be completed, in a substantial manner, so as effectually to answer the purposes intended and set forth in the second section of this act. And if said Corporation or some person under them, shall not, within five years from the passing of this act, establish mills, employing a power equal to turning twenty pair of common mill stones, the Legislature may suspend, as long as it shall think proper, the right of said Corporation to take any

toll as aforesaid. And the proprietors of the marshes in Brookline shall have the privilege of passing free of toll to and from their marshes, from and to the upland in Brookline, over said road or Dam, and the said Corporation shall make and maintain, at its own expense, a suitable number of sloping bridges, leading from the sides of said road and Dam to the surface of the marsh land, and convenient to carry off the hay.

Toll free to the proprietors of marshes in Brookline.

SEC. 4. *Be it further enacted*, That the said Corporation shall be entitled to all the advantages and benefits of the engagements of the town of Boston with the petitioners for this present act, as the same are expressed in the doings of said town at its meetings of the eleventh of June and twentieth of October last past; but shall have and enjoy the same however, upon the same terms and conditions, and subject to all the restrictions, expressed in the report of said town Committee, and accepted and recorded by the said town, at its meeting last above-mentioned.

Rights and privileges.

SEC. 5. *Be it further enacted*, That the Board of Health of the town of Boston, be, and hereby is authorised and empowered to cause the flats, on the westerly side of Boston, within said empty basin, or any portion of them, to be kept constantly covered with water, if in the opinion of said Board, it shall be necessary to the health of the inhabitants of said town; and for that purpose to cause a Dam of a suitable height, at their discretion, to be placed and kept at the sluice gate or gates in the principal Dam of said empty basin, in order to retain the water therein, at the sole expense of said Corporation.

Board of Health authorised to cover flats with water.

SEC. 6. *Be it further enacted*, That any person or Corporation, sustaining any damage by the building of said Dams, bridges or causeways, or from cutting said canal or race ways, or from the exercise of any of the rights and powers, herein given to said Corporation, may apply (if within one year from the time any such damage may have happened) to the Court of Common Pleas for the county in which the land lies, for a Committee to be appointed to estimate the damage, and upon such application, the Court after thirty days notice to said Corporation to appear, and shew cause why such Committee

May appoint a committee to estimate damage.

should not be appointed, shall, if no good cause be shewn to the contrary, appoint three or five disinterested freeholders within the same county, at the expence of said Corporation, which Committee being first duly sworn before some Justice of the Peace, to be nominated by said Court, and giving due notice to both parties to appear, if they see fit, for a hearing before them, shall proceed to the duties of their appointment ; and they shall first inquire, whether any damage has been sustained from the causes aforesaid, and if any, they shall estimate the same, and where the damage is annual, they shall so declare the same in their report, and shall make return of their doings as soon as may be, into the said Court, and upon the acceptance of said report, judgment may be given thereon, with reasonable costs to the party prevailing : *Provided however*, That either party after the return of said report, may claim a trial by jury, and the Court shall thereupon stay judgment on said report ; and upon such application for a jury, the Court shall issue a warrant to the Sheriff of the same county, or if the Sheriff shall be interested, then to some Coroner, by name, who is not interested, directing him to summon a jury of twelve good and lawful men, which jury shall be sworn, and in all things shall proceed as is above directed, as to said Committee, due notice to the parties being first given by the officer, of the time and place of their meeting ; and their verdict shall be sealed up, and the officer shall return the same into Court, and judgment may be entered thereon : And if the party applying for a jury shall not obtain, in case it be the original applicant, an increase of damages, or in case it be the original respondent, a decrease of the damages awarded by the Committee, such party shall pay reasonable costs of such trial by jury, otherwise shall recover reasonable costs ; and upon any judgment rendered upon the report of such Committee on the verdict of such jury, the Court may issue its execution accordingly, and also from year to year where the damages awarded are annual, on motion of the party entitled thereto, and an action of debt may be maintained on such judgment ; and if upon notice to said Corporation as aforesaid, to shew cause why such Committee should not be appointed, said Corporation

Proviso.

Costs, &c.

shall appear and deny the applicants title to the land damaged, or claim a title to do what is complained of, without the payment of damages, or for an agreed composition, the Court shall first order a trial of the issue at the bar of said Court, or if there be an issue in law, shall try it themselves; and in either case, either party may appeal to the Supreme Judicial Court, as in other cases; and a certificate of the determination of the Supreme Judicial Court on such appeal, in favor of the original applicant, shall be filed in said Court of Common Pleas, before such Committee shall be appointed; and where annual damages are awarded by said Committee, or said Jury, and judgment had accordingly, each party shall be entitled, after two years, to apply to said Court of Common Pleas, for an increase or decrease of said damages; and thereupon the same proceedings shall be had, as upon the original application.

SEC. 7. *Be it further enacted,* That the stock and property of said Corporation shall be divided into three thousand five hundred shares, certificates of which shall issue under the seal of the said Corporation, and be signed by the President and Treasurer thereof, and said shares shall be deemed and taken to be personal estate, and may be transferred by deed acknowledged before some Justice of the Peace, and recorded by the Clerk of said Corporation in a book to be kept for that purpose; and the original subscription, for at least fifteen hundred shares, shall be public, and continue open at least ten days, or until the whole shall be subscribed for, the time and place for which shall be regulated as hereafter provided.

Capital stock
and and num-
ber of shares.

SEC. 8. *Be it further enacted,* That Isaac P. Davis, Uriah Cotting and William Brown, or the major part of them, may call the first meeting of said Corporation, by giving seasonable notice of the time and place for the same, in the Columbian Centinel and Independent Chronicle, printed in Boston; and at the said meeting there shall be appointed, by a majority of votes, a Clerk, who shall be duly sworn to record the doings thereof; and also a Committee of five persons, who shall direct the time and place for opening the public subscriptions

May call a
meeting.

Proviso:

for at least fifteen hundred shares as abovementioned, and shall appoint some person or persons to superintend the same ; and shall also direct the manner in which the other shares may be subscribed for : *Provided*, That no person, in any case, shall subscribe for more than fifty shares ; and when two thousand shares shall be subscribed for, the said Committee shall notify the subscribers to meet at some convenient time and place for the purpose of more fully organizing and arranging the affairs of said Corporation, at which meeting every person shall be entitled to a number of votes equal to his number of shares ; and the powers and duties of the President and other officers and servants of the Corporation, together with the time and manner of choosing, and the number of the same may be regulated by the bye-laws of the Corporation.

May make assessments on shares subscribed for.

Proviso.

SEC. 9. *Be it further enacted*, That the said Corporation, or its officers, duly authorised, by its bye-laws may make assessments upon the shares subscribed for, for the purpose of effecting the objects of the Corporation, and for any other necessary purpose ; *Provided however*, That the whole amount of the assessments on each share shall not exceed the sum of one hundred dollars, after deducting the amount of any dividends previously declared thereon ; and in case the amount of one hundred dollars, so assessed upon each share, will not supply the necessary funds, the Corporation or its officers duly authorised, may raise the funds required by selling any shares not subscribed for, or by creating and selling any number of shares over and above the said three thousand five hundred : And if the proprietor of any share shall neglect or refuse to pay any assessment for the term of thirty days from the time appointed therefor, the share or shares of such proprietor may be sold at public auction, notice of the time and place of such sale being given by the Treasurer of said Corporation, in some public news-paper printed in Boston, three weeks at least previous to the time appointed therefor ; and the proceeds of the sale shall be applied to the payment of the assessments due on the share or shares so sold, with incidental charges ; and the surplus, if any, shall be paid

by said Treasurer to the former owner, or his legal representatives on demand ; and such sale shall give a good and complete title to the purchaser of such share or shares, and he shall receive a new certificate therefor : *Provided however,* That if before the actual sale of any such share or shares, the proprietor thereof will pay the assessments due thereon, with interest from the time they became due, and all necessary and reasonable charges, the sale shall not proceed. Proviso.

[Approved by the Governor, June 14, 1814.]

CHAP. XL.

An Act to authorise the Boston Manufacturing Company to shut the Fish Gate in their Dam across Charles River.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Boston Manufacturing Company have the liberty of closing the Fish Gate in their Dam across Charles River, at their works in Newton and Waltham, being the same Mill-Dam which formerly was owned and occupied by John Boies ; and may keep the same shut forever : *Provided,* May close gate. That said Company, their successors and assigns shall make, and continue in good repair, a Fish way over said Dam, of the same inclination and width, and admitting the same depth of water, as that now made over the lower Dam across said river in Watertown, near Watertown bridge, and shall keep the same open from the first day of April to the first day of June annually. Proviso.

[Approved by the Governor, June 14, 1814.]

CHAP. XLI.

An Act to repeal in part an act, entitled an act to incorporate the Plantation of Hiram into a District, by the name of Hiram, in the county of Oxford, and for other purposes.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of the act passed on the twenty-seventh day of February, in the year of our Lord one thousand eight hundred and seven, entitled "An act to incorporate the Plantation of Hiram into a District, by the name of Hiram, in the county of Oxford," as empowers the District of Hiram to unite with the town of Brownfield, in choosing a Representative, be, and the same is hereby repealed.

Act in part re-
pealed.

Town incor-
porated.

SEC. 2. *Be it further enacted*, That the District of Hiram, in the county of Oxford, be, and hereby is incorporated into a town, by the name of Hiram, and vested with all the powers, privileges, and immunities, which other towns in this Commonwealth do, or may enjoy.

[Approved by the Governor, June 14, 1814.]

CHAP. XLII.

An Act to establish the Amherst Cotton Factory.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Levi Collens, Ebenezer Mattoon, Samuel F. Dickinson, Elijah Eastman, Robert Douglas, Nathan Gilson, Asa Adams, and Samuel Perrin, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Amherst Cotton Factory, for the purpose of manufacturing cotton yarn and cloth, in the town of

Persons incor-
porated.

Amherst, in the county of Hampshire; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That the said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacturing of cotton yarn and cloth, in said town of Amherst.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIII.

An Act to establish the Northbridge Cloth Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Levi Lincoln, Antipas Earle, Jesse Eddy, Amasa Roberts, Timothy Earle, William Hendrick, Silas Earle, and Daniel Waldo, with such others as may hereafter associate with them, their successors and assigns, be, and hereby are, made a Corporation, by the name of the Northbridge Cloth Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth, in the town of Northbridge; and for this purpose, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act passed the third day of March, eighteen hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That the said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and of such personal estate, not exceeding one hundred thousand dollars, as may be necessary and

convenient for carrying on the manufacture of cotton and woollen cloth, in the said town of Northbridge.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIV.

An Act to incorporate a number of inhabitants of the town of Northbridge, in the county of Worcester, into a Society for Religious purposes.

Persons incor-
porated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That John Crane, James Fletcher, Paul Whitin, Israel Taft, Elzaphan Taft, Levi Rist, Keith Taft, Abner Adams, Arnold Adams, Benjamin Basset, Joel Batchellor, Moruel Taft, Cheney Taft, William Slocum, jun. Joshua Slocum, Benjamin Morse, John Adams, Thomas Goldthwait, Joseph White, Henry Chapin, Simeon Batchellor, Obed Goldthwaite, Ebenezer Baker, Amaria Preston, Joel White, Solomon Nelson, Henry Dunn, jun. David Dunn, Frebun White, Samuel Fletcher, James Fletcher, jun. and Adolphus Spring, members of the Congregational Society, in the town of Northbridge, (whereof the Rev. John Crane is the present Pastor,) with their polls and estates be, and they hereby are incorporated into a Society, by the name of The Congregational Society in Northbridge; and that they be, and are hereby invested with all the powers, privileges, and immunities, which other parishes in this Commonwealth are entitled to by law.

Other inhabi-
tants consid-
ered as belong-
ing to the Society.

SEC. 2. *Be it further enacted*, That such other inhabitants of said town of Northbridge, as have hitherto been considered by said town, as belonging to the Congregational Society therein, or who shall hereafter usually attend public worship with said incorporated Society, shall be deemed and taken with their polls and estates, as belonging to, and making part of said incorporation, to all intents and purposes, as though particularly named in this act: *Provided notwithstanding*,

Provided.

That nothing in this Act shall effect the right of any of the members of said Society withdrawing his relations therefrom, and becoming a member of, and uniting with some other religious Society; and in case any person or persons belonging to said incorporated Society, shall hereafter signify to the Clerk thereof, his or their desire of becoming united with some other religious Society, and shall produce and lodge with the clerk of said incorporated Society, a certificate, signed by the minister or clerk of such other religious Society, of such person or persons having usually attended public worship therein, and of having actually become united thereto, he or they shall from and after lodging such certificate as aforesaid, be considered as belonging to such other society: *Provided however,* That such person Proviso. or persons shall be holden to pay his or their proportion of all taxes legally assessed, or monies voted to be raised in said incorporated Society, previous to withdrawing his or their relation therefrom.

SEC. 3. *Be it further enacted,* That the said incorporated Society, from and after the passing of this act, be, and it hereby is invested with the privilege of improving Privileges. and enjoying the Congregational Meeting-house, in said town, (so called,) for the purpose of assembling therein for public worship, in the same manner as the Congregational Society in said town, hitherto has done, and of receiving and holding all such securities and monies as heretofore belonged to the said Congregational Society, in said Northbridge, and of receiving and holding all such donations and bequests as may from time to time be given to the said incorporated Society, and of improving the same, by appropriating the annual interest arising therefrom, to the support of a Public Teacher of piety, religion, and morality, in said Society, so long as it shall remain a corporate body, and support public worship therein.

SEC. 4. *Be it further enacted,* That Adolphus Spring, Esquire, be and he hereby is, authorized and May call meeting. directed to issue a warrant directed to some principal inhabitant of said Society, requiring him to give notice to the members thereof, qualified to vote in parish affairs, to assemble and meet at some convenient place

in said town, for the purpose of choosing all such officers, as parishes are by law required to choose in the months of March or April annually, and to transact all such matters and things as may be necessary to be done in said Society.

[Approved by the Governor, June 14, 1814.]

CHAP. XLV.

An Act to establish the town of Newport in the county of Hancock.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the township numbered four in the third range of townships north of the Waldo patent, in the county of Hancock, as contained within the following described boundaries, be, and hereby is made and established a town, by the name of Newport, viz. : North by the township numbered four in the fourth range ; east by the township numbered three in the third range ; west by the town of Palmyra ; and south, partly by the townships numbered four, and five in the second range : And the Inhabitants of the said town of Newport, are hereby vested with all the powers and privileges, and shall also be subject to all the duties and requisitions, to which other towns are entitled and subjected, according to the constitution and laws of this Commonwealth.—And the whole of the said township shall be, and hereby is annexed to the county of Hancock.

Sec. 2, *Be it further enacted,* That any Justice of the Peace for the county of Hancock, is hereby empowered to issue a warrant, directed to a freehold inhabitant of the said town of Newport, requiring him to notify and warn the inhabitants thereof to meet at such convenient time and place as shall be appointed in the said warrant; for the choice of such officers, as towns within this Commonwealth are entitled to choose and appoint at their annual town meetings.

[Approved by the Governor, June 14, 1814.]

Town incor-
porated.

Boundaries de-
scribed.

Justice to issue
warrant.

CHAP. XLVI.

An Act in addition to an act to regulate the sale of goods at Public vendue.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all penalties incurred under an act entitled “An act to regulate the sale of goods at public vendue, and to repeal all laws heretofore made for that purpose,” and all offences against the same may be prosecuted by indictment or information, in any Court of Record competent to try the same. May prosecute by indictment.

SEC. 2. *Be it further enacted,* That the tenants, or occupants of any house or store, having the actual possession and control of the same, who shall knowingly permit or allow any person or persons, not being licensed as in the said act prescribed, to sell any goods or chattels at Public Vendue, or outcry in his said house or store, or in any apartment or yard appurtenance to the same, shall forfeit and pay a sum not exceeding six hundred dollars, nor less than one hundred dollars, to be recovered in an action of debt, or by indictment or information, in any Court of Record competent to try the same, and to be appropriated to the use of the complainant. Penalty and forfeiture.

[Approved by the Governor, June 14, 1814.]

CHAP. XLVII.

An Act to provide for the safe keeping of Gun-powder in the town of Roxbury.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the first day of August next, no person or persons (not on military duty,) shall keep, have or possess, in any store, barn, house, or other building, or in, or upon any place or Place where kept.

Proviso.

thing whatever, within the town of Roxbury, except in a public powder-house in said town, Gun-powder in any quantity exceeding five pounds, in any way or manner, otherwise than as by this act is permitted : *Provided nevertheless*, That nothing in this act shall be construed to operate as a prohibition to the transporting of Gun-powder through the town of Roxbury aforesaid, or to, or from the public magazine in said town, from or into any part of this Commonwealth.

Vessels shall not lay within two hundred yards of any wharf.

SEC. 2. *Be it further enacted*, That no merchant or private armed vessel, on board of which Gun-powder shall be laden in quantity exceeding twenty-five pounds, shall lay within two hundred yards of any wharf within said town.

May be seized.

SEC. 3. *Be it further enacted*, That all Gun-powder found within the said town of Roxbury, contrary to the provision of this act, shall be forfeited, and may be seized by any one or more of the fire-wards of said town ; and it shall be the duty of such fire-ward or fire-wards, within twenty days after such seizure, to file a libel in the Clerk's Office of the Circuit Court of Common Pleas, for the Southern Circuit, in the county of Norfolk, stating the case of such seizure, and praying for a decree of forfeiture ; and the Judges of said Court shall have power to hear and determine the cause by a jury, where there is a claimant, but without a jury, if upon proclamation no claimant appear, and to decree the forfeiture and disposition of such property according to law ; and may decree a sale and distribution of the proceeds, first deducting all charges ; and if such libels be not supported, restitution of the property shall be decreed without costs ; but if a claimant appear, and disputes the forfeiture, and said Gun-powder shall be finally decreed forfeited, such claimant shall pay all costs of prosecution, which may have legally arisen thereon.

Quantity allowed to be kept.

SEC. 4. *Be it further enacted*, That all such Gun-powder so forfeited, shall be forfeited one third part thereof to the use of the Commonwealth, one third part to the use of the fire-ward or fire-wards making such seizure, and one third part to the use of the poor of the said town of Roxbury : *Provided always*, That it shall and may be lawful for any person or persons, to keep in

his or their house, ware-house or shop, for sale by retail, any quantity of Gun-powder, not exceeding twenty-five pounds in the whole ; *Provided*, The same be constantly kept in copper, brass, or tin cannisters, closely covered with copper, brass, or tin, and not otherwise.

SEC. 5. *Be it further enacted*, That if any Gun-powder shall be found in the town of Roxbury aforesaid, contrary to the provisions of this act, the owner or owners of the same, or other person or persons in whose possession it shall be found, besides the forfeiture aforesaid, shall forfeit and pay forty cents for every pound of such Gun-powder, one moiety thereof to the use of the poor of said town of Roxbury, and the other moiety to the use of him or them who shall sue for the same ; which forfeiture of forty cents may be recovered by action of the case, in any Court proper to try the same.

SEC. 6. *Be it further enacted*, That it shall and may be lawful for any one or more of the fire-wards of said town of Roxbury, to enter any building or other place in said town of Roxbury, in the day time, to search for Gun-powder, which they may have reason to suppose to be concealed or kept contrary to the provisions of this act, having first obtained a search warrant therefor, according to law.

[Approved by the Governor, June 14, 1814.]

CHAP. XLVIII.

An Act fixing the times and places for holding the Courts of Sessions in the county of York.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Court of Sessions within and for the county of York, shall be holden at Alfred, on the Monday next preceding the second Tuesday in September, and at York on the Monday next preceding the third Tuesday in April annually ; and that all Actions, Suits, Bills, Appeals, Plaints, Informations, Recognizances,

and other things whatsoever, now pending by continuance, appeal or otherwise, or which may be hereafter commenced to be heard at said Court, shall have day in, be acted upon, heard and tried at the times and places aforesaid, and not otherwise.

Acts repealed.

SEC. 2. *Be it further enacted*, That all laws heretofore made, fixing the times and places for holding the Courts of Sessions, in the County of York, inconsistent with the provisions of this act, be, and the same are hereby repealed.

[Approved by the Governor, June 14, 1814.]

CHAP. XLIX.

An Act to alter and change the names of certain persons therein mentioned.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That from and after the passing of this act, Charles Adams of Boston in the county of Suffolk, son of Elijah Adams, of Medfield, in the county of Norfolk, shall be allowed to take the name of Charles Jeremiah Adams; that Welcome Eager of Boston aforesaid, merchant, shall be allowed to take the name of William Eager; that John Bradford of said Boston, son of William B. Bradford of the same place, shall be allowed to take the name of John Rufus Bradford; that George Doane of the same Boston, shall be allowed to take the name of George Bartlett Doane; that William Couillard Stodderd of Salem, in the county of Essex, trader, son of Ebed Stodderd, of the same Salem, shall be allowed to take the name of Ebenezer Couillard Stodderd; that John Babbidge, Jun. of Salem aforesaid, mariner, shall be allowed to take the name of John Laurens Babbidge; that John Osgood, Jun. of the same Salem, mariner, shall be allowed to take the name of John Babbidge Osgood; that William Low of Salem aforesaid, a minor, and son of David Low, late of Haverhill, in said county, deceased, shall be allowed to take the name

Persons' names altered.

of William Henry Low ; that John Browne, the sixth, of said Salem, son of Edward Browne of the same place, shall be allowed to take the name of Edward John Browne ; that John Clarke, of Wartertown, in the county of Middlesex, son of Thomas Clarke, Esq. of the same town, shall be allowed to take the name of John Henry Clarke ; that Joseph Tufts, the third of Charlestown, in said county of Middlesex, son of Deacon Amos Tufts of the same place, shall be allowed to take the name of Joseph Frothingham Tufts ; that Jesse Harlow Torrey, of Plymouth, in the county of Plymouth, merchant, shall be allowed to take the name of Harlow J. Torrey ; that Thomas Damon of Truro, in the county of Barnstable, shall be allowed to take the name of William Frederick Josiah Damon ; that Walter Johnson, 2d, of Leominster, in the county of Worcester, shall be allowed to take the name of Walter Rogers Johnson ; that Obadiah Burnham, a minor, and son of Josiah Burnham, of Durham, in the county of Cumberland, shall be allowed to take the name of George Burnham ; that Scott Wilkinson, of Thomastown, in the county of Lincoln, attorney at law, shall be allowed to take the name of Samuel Scott Wilkinson. And the several persons before named, from the time of the passing of this act, shall be called and known by the names, which by this act they are respectively allowed to take and assume as aforesaid ; and the said names shall forever hereafter be considered, as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, June 14, 1814.]

CHAP. L.

An Act in addition to the several acts imposing a tax on Banks.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whereas by an act passed on the twenty-eighth day of February last, all Banking Corporations then in operation, or which should thereafter come into operation, were required to pay a ^{Tax altered.}

tax to this Commonwealth of one half of one per cent, within ten days after the first Mondays of April and October annually, on the amount of the capital stock actually paid in on the said days, although said amount should not have been paid in for the full term of six months then next preceding ; in lieu thereof said Banking Corporations are hereby required to pay such portion of said sum of one half of one per cent. on such proportion of capital stock as shall not have been paid in for the full term of six months next preceding ; as the time from the payment of such portion of such capital stock, to the day when such payment of such tax shall become due, may bear to the term of six months. And such Corporations as shall have been required to pay, and shall have actually paid the full amount of one half of one per cent, which they would not have been required to pay by the provisions of this act, shall have credit for such excess, and the Treasurer of the Commonwealth is hereby authorised and required to credit the same to said Corporations in the next payments of their said tax which may become due, and deduct such excess from said payments : *Provided*, That such Corporations shall have paid the in several instalments of capital stock, at the times required by their several acts of incorporation ; *And provided further*, That such Corporations shall furnish the said Treasurer with true abstracts of the amount of their capital stock actually paid, and the times when the several instalments were paid in, authenticated by the oaths of their several Presidents, and a majority of their respective Directors.

Proviso.

Proviso.

Statement.

SEC. 2. Whereas by an act passed on the twenty third of June, in the year of our Lord eighteen hundred and twelve, all Banks within this Commonwealth, which should be in operation on the first day of October then next ensuing, or which should thereafter come into operation, were required to pay a tax of one half of one per cent. on the amount of the capital stock actually paid in, such tax to be paid within ten days next after each semi-annual dividend, which should be made after said first day of October ; by means whereof it was the true intent and meaning of the said act, that said tax should attach

on such Banks, on the said first day of October, and the first payment become due and payable on the first day of April next following ; and whereas several Banks then in operation, by their bye-laws made semi-annual dividends at other times than the first day of April and October, by means whereof the said payment of said tax was made at a time earlier than was contemplated by the Legislature, and whereas by the force and effect of the act abovementioned, passed in February last, said Banks were again required to pay said tax within ten days after the first Mondays of April and October annually, although by force of the previous act aforesaid, and the operation of their bye-laws, the like tax has been paid by said Banks within a period of six months next preceding, by means whereof the said Banks have been required to pay said semi-annual tax twice, contrary to the true intent and meaning of the Legislature.

Be it therefore enacted, That the Treasurer of this Commonwealth be, and he is hereby authorized and required to credit to any such Bank or Banks the amount of tax thus paid over and above what they would have been required to pay by the provisions of this act, and to allow the sum in the next payment or payments of said tax, which may become due from such Banks by the existing laws.

Treasurer may give credit for tax.

[Approved by the Governor, June 14, 1814.]

CHAP. LI.

An Act to establish the Wrentham and Attleborough Turnpike Corporation.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That David Fisher, jun. Samuel Day, Timothy Whiting, John Fales, Royal Peck, Elkanah Whiting, Paul Fisher and Cornelius Kollock, together with such others as may associate with them, their successors and assigns, shall be a Corporation, by the name of The Wrentham and Attleborough Turnpike

Persons incorporated.

Proviso.

Corporation, for the purpose of making a Turnpike-road from the meeting house in the first parish in Wrentham, to the line of Cumberland, in the state of Rhode-Island, in the most convenient place for the public accommodation, as near a straight line as is practicable : *Provided however,* That it shall not be made in any place east of an air line from the meeting-house in said first parish in Wrentham, to the west side of the dwelling house of John Fales, in the west corner of Attleborough ; and for this purpose shall have all the powers and privileges, and be subject to all the duties, requirements and penalties contained in an act, entitled “ An act defining the general powers and duties of Turnpike Corporations,” passed on the sixteenth day of March, in the year of our Lord one thousand eight hundred and five.

[Approved by the Governor, June 14, 1814.]

CHAP. LII.

An Act to incorporate the Holliston Cloth Manufactory.

Persons incorporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Elihu Cutler, Abner Morse, Timothy Fisk, Uriel Cutler, David Fish, jun. James Wight, Joseph P. Leland, Nathan Fairbanks and Ebenezer P. Wood, together with such other persons as already have, or may hereafter associate with them, their successors and assigns be, and they hereby are made a Corporation, by the name of The Holliston Cloth Manufactory, for the purpose of manufacturing cloth at Holliston, in the county of Middlesex ; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled “ An act defining the general powers and duties of Manufacturing Corporations.”

SEC. 2. *Be it further enacted,* That said Corporation may be lawfully seized of such real estate, not ex-

ceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cloth at Holliston aforesaid.

May hold real
and personal
estate.

[Approved by the Governor, June 14, 1814.]

CHAP. LIII.

An Act to incorporate the President, Directors and Company of the Merrimack Bank.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Charles White, David Howe, jr. Leonard White, Daniel Haddock, Robert B. Willis, Bailey Bartlett, James How, James Duncan, jun. Peter Osgood, Thomas R. Appleton, Moses Gale, jun. John Dow and Ebenezer Gage, their associates, successors and assigns shall be, and hereby are created a Corporation, by the name of The President, Directors and Company of the Merrimack Bank, and shall so continue until the first day of October, which will be in the year of our Lord one thousand eight hundred and thirty one; and by that name shall be, and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any Courts of Record, or any other place whatever; and also to make, have, and use a common seal, and to ordain, establish and put in execution, such bye-laws, ordinances and regulations, as to them may appear necessary and convenient for the government of said Coporation, and the prudent management of their affairs: *Provided, Such* bye-laws, ordinances and regulations, shall in no wise be contrary to the constitution and laws of this Commonwealth; and the said Corporation shall be always subject to the rules, restrictions, limitations and provisions herein prescribed.

Persons incor-
porated

Time incorpor-
ated for.

Proviso.

SEC. 2. *Be it futher enacted,* That the capital stock of said Corporation shall consist of the sum of one hun-

Amount of cap-
ital stock and
of each share.

dred thousand dollars, in gold and silver, divided into shares of one hundred dollars each, which shall be paid at four equal instalments ; the first on the fifteenth day of October next ; the second on the fifteenth day of April next after ; the third on the fifteenth day of October next after ; and the fourth on the fifteenth day of April, which will be in the year of our Lord one thousand eight hundred and sixteen ; or at such earlier time as the Stockholders at any meeting thereof may order ; and the Stockholders, at their first meeting, by a majority of votes, may determine the mode of transferring and disposing of said stock and the profits thereof, which, being entered in the books of said Corporation, shall be binding on the Stockholders, their successors and assigns, until they shall otherwise determine ; and the said Corporation are hereby made capable in law to have, hold, purchase, receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements and hereditaments, to the amount of ten thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same ; and to loan and negotiate, their monies and effects, by discounting on banking principles, on such security as they shall think advisable : *Provided however*, That nothing herein contained, shall restrain or prevent said Corporation from taking and holding real estate in mortgage, or on execution, to any amount, as security for or in payment of any debts due to the said Corporation : *Provided further*, That no monies shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to twenty-five thousand dollars.

SEC. 3. *Be it further enacted*, That the rules, limitations and provisions, which are provided in and by the third section of an act, entitled “ An act to incorporate the President, Directors and Company of the State Bank,” shall be binding on the Bank hereby established : *Provided*, That the bond required to be given by the Cashier, shall be given in the penalty of ten thousand dollars ; that the number of Directors to be annually chosen shall be seven, and four may constitute a quorum for the transaction of business : *And provided*

Proviso.

Proviso.

also, That the amount of bills at any one time issued from said Bank, shall not exceed fifty per cent beyond their capital stock actually paid in.

SEC. 4. *Be it further enacted*, That said Bank shall be established and kept in the town of Haverhill.

SEC. 5. *Be it further enacted*, That any Committee especially appointed by the Legislature for the purpose, shall have a right to examine into the doings of said Corporation, and shall have free access to all their books and vaults ; and if upon such an examination, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation may thereupon be declared forfeited and void.

Legislative committee may examine books, &c.

SEC. 6. *Be it further enacted*, That the persons herein before named, or any three of them, are authorised to call a meeting of the Members and Stockholders of said Corporation, as soon as may be, at such time and place as they may see fit to appoint, by advertising the same for three weeks successively in the Merrimack Intelligencer, printed in the town of Haverhill, for the purpose of making, ordaining and establishing such bye-laws, ordinances and regulations for the orderly conducting the affairs of the said Corporation, as the said Stockholders shall deem necessary, and for the choice of the first Board of Directors, and such other officers as they may see fit to choose.

May call meeting.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Directors of said Bank, to transmit to the Governor and Council of this Commonwealth, for the time being, once in six months at least, and as much oftener as they may require, accurate and just statements of the amount of the capital stock of said Corporation, and of debts due to the same ; of the monies deposited therein ; of the notes in circulation ; and of the gold, silver and copper coins, and of the bills of other Banks on hand ; which statements shall be signed by the Directors, and attested by the Cashier, and shall be verified by oath or affirmation before some person competent to administer the same.

Shall transmit statement of accounts.

SEC. 8. *Be it further enacted,* That the said Corporation shall be liable to pay to any bona-fide holder, the original amount of any note of said Bank, counterfeited or altered, in the course of its circulation, to a larger amount, notwithstanding such alteration.

Shall pay counterfeited notes.

SEC. 9. *Be it further enacted,* That the said Corporation shall within ten days after the first Mondays of October and April annually, pay to the Treasurer of this Commonwealth, for the use of the same, a tax of one half of one per cent, on the amount of such part of their stock as shall have been actually paid in by the Stockholders: *Provided however,* That the same tax, payable in manner aforesaid, shall be required by the Legislature of all Banks that are now or shall be hereafter incorporated within this Commonwealth; *And provided further,* That nothing herein shall be construed to impair the right of the Legislature to lay a tax on any Bank already incorporated under the authority of this Commonwealth, when they may see fit so to do.

Shall pay tax to the Treasurer.

Proviso.

SEC. 10. *Be it further enacted,* That one tenth part of the whole funds of said Bank shall always be appropriated to loans to be made to citizens of this Commonwealth, and wherein the Directors shall wholly and exclusively regard the agricultural and manufacturing interest; which loans shall be made in sums not less than one hundred dollars, and not more than five hundred dollars, and upon the personal bond of the borrower, with collateral security by a mortgage of real estate, to the satisfaction of the Directors of said Bank, for a term not less than one year, and on condition of paying the interest annually on such loans, subject to such forfeitures and rights of redemption as is by law provided in other cases.

Amount to be appropriated to loans.

SEC. 11. *Be it further enacted,* That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth any sum of money which may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period at the election of the Commonwealth, with the annual payment of interest at the rate of five per centum per annum: *Provided however,* That the Com-

Shall loan to the Commonwealth.

monwealth shall never stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

[Approved by the Governor, June 14, 1814.]

CHAP. LIV.

An Act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That this Commonwealth be, and it hereby is divided into Twenty Districts, as in this act defined and described, for the purpose of choosing Representatives to represent this Commonwealth in the Congress of the United States, after the present Congress ; in each of which Districts one Representative, being an inhabitant of the District for which he shall be elected, shall be chosen in the manner herein after described.*

SEC. 2. *Be it further enacted, That the said Twenty Districts shall be formed and limited in manner following—That is to say :*

The towns in the county of Suffolk, together with the towns of Malden and Stoneham in the county of Middlesex, shall constitute one District, to be called Suffolk District.

The towns of Salem, Beverly, Wenham, Gloucester, Manchester, Danvers, Marblehead, Lynn and Lynnfield in the county of Essex, shall form one district, to be called Essex South District.

The towns and districts in the county of Essex, not included in Essex South District, together with the town of South Reading in the county of Middlesex, shall constitute one district, to be called Essex North District.

The towns and districts in the county of Middlesex, excepting the towns of Ashby, Townsend, Shirley, Pep-

Towns forming
districts.

perell, Stow, Boxborough, South Reading, Malden, Stoneham, Holliston, Sherburne, Natick, Newton, Framingham, Brighton and Hopkinton, shall constitute one district, to be called Middlesex District.

The towns and districts in the county of Hampden, together with the towns of Ware, Belchertown, Granby, South Hadley, Hadley, North Hampton, West Hampton, South Hampton, East Hampton, Norwich, and Worthington in the county of Hampshire, shall constitute one district, to be called Hampshire South District.

The towns and districts in the county of Hampshire, excepting Middlefield, not included in Hampshire South District, together with the towns and districts in the county of Franklin, shall constitute one district, to be called Hampshire North District.

The towns, districts and plantations in the county of Berkshire, together with the town of Middlefield in the county of Hampshire, shall constitute one district, to be called Berkshire District.

The towns and districts in the county of Plymouth, shall constitute one district, to be called Plymouth District.

The towns and districts in the counties of Barnstable, Nantucket and Dukes' County, together with the town of New-Bedford, in the county of Bristol, shall constitute one district, to be called Barnstable District.

The towns and districts in the county of Bristol, excepting the town of New-Bedford, together with the towns of Stoughton, Sharon, and Foxborough in the county of Norfolk, shall constitute one district, to be called Bristol District.

The following towns and districts in the county of Worcester, viz. : Northborough, Worcester, Shrewsbury, Paxton, Oakham, New-Braintree and Hardwick, and all the towns south of them in the county of Worcester, together with the town of Hopkinton in the county of Middlesex, shall form one district, to be called Worcester South District.

The towns and districts in the county of Worcester, not included in Worcester South District, together with the towns of Ashby, Townsend, Shirley, Pepperell,

Stow, and Boxborough in the county of Middlesex, shall form one district, to be called Worcester North District.

The towns and districts in the county of Norfolk, excepting the towns of Stoughton, Sharon and Fox-^{Towns forming districts} borough, together with the towns of Holliston, Sherburne, Natick, Newton, Brighton, and Framingham in the county of Middlesex, shall form one district, to be called Norfolk District.

The towns, districts and plantations in the county of York, excepting the towns of Buxton, Limington, Cornish and Parsonsfield, shall constitute one district, to be called the First Eastern District.

The following towns, districts and plantations in the county of Cumberland, to wit, Portland, Falmouth, Westbrook, North-Yarmouth, Scarborough, Cape-Elizabeth, Gorham, Gray, Windham, New-Gloucester, Pejepscot, Freeport, Pownal, Brunswick, Durham and Harpswell, shall constitute one district, to be called the Second Eastern District.

The following towns in the county of Lincoln, to wit, Topsham, Bath, Georgetown, Phippsburg, Boothbay, Woolwich, Wiscasset, Edgecomb, New-Castle, Nobleborough, Alna, Bristol, Waldoborough, Warren, Thomastown, Cushing, Friendship, St. George and Camden, together with the towns of Isleborough, Vinalhaven, Deer-Isle, Northport, and Lincolnville in the county of Hancock, shall constitute one district, to be called the Third Eastern District.

The counties of Washington and Hancock, excepting the towns of Isleborough, Vinalhaven, Deer-Isle, Northport, and Lincolnville in the county of Hancock, shall form one district, to be called the Fourth Eastern District.

These towns and plantations in the county of Lincoln, which are not included in the Third Eastern District, together with the towns of Pittston, Gardiner, Hallowell, Augusta, Green, Leeds, Monmouth, Winthrop, Readfield, Wayne, Fayette, and Malta in the county of Kennebeck, shall form one district, to be called the Fifth Eastern District.

Those towns and plantations in the county of Kennebeck, which are not included in the Fifth Eastern District, together with the towns and districts in the county of Somerset, shall form one district, to be called the Sixth Eastern District.

The towns, districts and plantations in the counties of York and Cumberland, which are not included in the First and Second Eastern Districts, together with the towns, districts and plantations in the county of Oxford, shall form one district, to be called the Seventh Eastern District.

SEC. 3. *Be it further enacted,* That the Selectmen of the several towns and districts within this Commonwealth, shall in manner as the law directs for calling town meetings, cause the inhabitants of their respective towns and districts, duly qualified to vote for Representatives in the General Court of this Commonwealth, to assemble on the first Monday of November biennially, beginning in November next, to give in their votes, for their respective Representatives, to the Selectmen, who shall preside at said meetings, and the Selectmen, or the major part of them, shall, in open town meeting, sort and count the votes, and shall form a list of the names of the persons voted for, with the number of votes for each person, written in words, at length, against his name; and the Town Clerk shall make a record thereof, and the Selectmen shall, in such meeting, make public declaration of the persons voted for, and of the number of votes they respectively have, and shall, in open town meeting, seal up the said list, certified by the Selectmen, and express upon the outside of the said list, the district in which the votes were given, and shall transmit the same, within fourteen days next after such meeting, to the Secretary of the Commonwealth, or to the Sheriff of the county in which such town or district lies, who shall transmit the same to the Secretary of the Commonwealth, within forty days next after the time of holding such meeting; and the Secretary shall lay the same before the Governor and Council; and in case of an election for any district, by a majority of the votes returned from such district, the Governor shall forthwith transmit to the person so chosen, a certificate of

Selectmen em-
powered to call
town meetings

Duty of Select-
men.

such choice, signed by the Governor and countersigned by the Secretary: And the Selectmen of such towns and districts as lie within any county in which there may be no Sheriff, shall return such list to the Secretary's office, within the same term of time as Sheriffs are required to do.

SEC. 4. *Be it further enacted*, That in case no person shall be chosen by a majority of all the votes returned from any district, the Governor shall cause precepts to issue to the Selectmen of the several towns and districts within such district, directing and requiring such Selectmen to cause the inhabitants of their respective towns and districts, qualified as aforesaid, to assemble as aforesaid, on a day in such precept to be appointed, to give their votes for a Representative in Congress as aforesaid, which precept shall be accompanied with a list of persons voted for in such district, shewing the number of votes for each person, according to the first return; and the same proceedings shall be had thereon in all respects as before directed in this act; and the Sheriff shall make return thereof into the Secretary's office on or before such day as the Governor shall appoint in such precept. And the Selectmen of such towns and districts, as lie within any county in which there may be no Sheriff, shall return such lists to the Secretary's office, within the same term of time as Sheriffs are required to do; and the Secretary shall lay the lists so returned to his office before the Governor and Council, and the Governor shall cause the person or persons who shall be chosen as aforesaid, to be notified thereof; and like proceedings shall be again had in case any district shall fail of completing the choice of its Representative, and the Governor shall issue his precept accordingly, to the Selectmen of those towns and districts, or such districts wherein the choice of Representatives shall not have been made; and like proceedings shall be had as often as occasion may require.

Governor to issue precepts.

Sheriff shall return lists.

SEC. 5. *Be it further enacted*, That whenever any vacancies shall happen in the representation of this Commonwealth in the Congress of the United States, the Governor shall cause precepts to issue to the Se-

Vacancy to be filled.

lectmen of the several towns and districts, within any district in which such vacancy may happen, directing and requiring them to cause the inhabitants of their respective towns and districts to assemble, on a day in such precept to be appointed, to give in their votes for a Representative to supply such vacancy; and like proceedings shall from time to time in all respects be had, as are herein before provided.

Duty of Sher-
iffs.

SEC. 6. *Be it further enacted*, That it shall be the duty of the several Sheriffs of the several counties of the Commonwealth, on receiving copies of this act, or any precept from the Governor for the purpose herein mentioned, to transmit the same seasonably to the Selectmen of the several towns and districts, and to the Assessors of the several districts and plantations where there may be no Selectmen, within their respective counties, to whom such copies or precepts may be respectively directed. And the several Sheriffs shall for the said service be entitled to receive, out of the treasury of this Commonwealth, fifty cents for each of the copies and of the precepts so by them distributed to the Selectmen of the towns and districts, and to the Assessors of the districts and plantations in their counties where there may be no Selectmen: *Provided however*, That no Sheriff who shall neglect seasonably to transmit all and every of the copies and precepts by him received in manner aforesaid, shall be entitled to any compensation for distributing any of such copies or precepts; and for returning the votes from all the towns within the respective counties, which may be seasonably delivered to him as aforesaid, each Sheriff shall be entitled to receive seventeen cents per mile, computing from the place of abode of each Sheriff to the Secretary's office; and in either case the Sheriffs shall present their accounts to the committee on accounts for examination and allowance.

Provido.

Fine and for-
feiture.

SEC. 7. *Be it further enacted*, That any Sheriff who shall neglect to perform the duties which by this act he is directed to perform, shall, for each neglect, forfeit and pay a sum not exceeding two thousand, nor less than two hundred dollars, for any such neglect; and if any Selectmen shall neglect to perform any of the du-

ties, which by this act they are required to perform, each Selectman so neglecting, shall forfeit and pay a sum not exceeding two hundred dollars, nor less than thirty dollars for any such neglect; any of the forfeitures aforesaid to be recovered by indictment before the Supreme Judicial Court, or before any Circuit Court of Common Pleas, or before the respective Courts of Common Pleas, which forfeiture shall be to the use of the Commonwealth.

SEC. 8. *Be it further enacted*, That the Assessors of those districts and plantations where there may be no Selectmen, shall have the same powers, and perform the same duties for the purposes of this act, as are herein given to or required of Selectmen, and shall incur like penalties in case of neglect. Power of Assessors.

SEC. 9. *Be it further enacted*, That this act shall be construed to extend to those plantations only, which shall choose Assessors to assess the public taxes, which shall be set to such plantations in the tax act next preceding the several elections. Act, how far extending.

SEC. 10. *Be it further enacted*, That this act, until a new apportionment of Representatives among the several states shall be made, and for the purpose of supplying any vacancy or vacancies which may happen in the Representation of this Commonwealth in the Congress of the United States, which shall make such apportionments, shall continue and be in full force. How long in force.

SEC. 11. *Be it further enacted*, That an act, entitled "An act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of Election," passed on the twenty-eighth day of February, in the year eighteen hundred and twelve, be, and the same hereby is repealed, excepting so far as said act provides for the choice of any Representative or Representatives to fill any vacancy or vacancies which may occur before the end of the present Congress, and no further. Act repealed.

[Approved by the Governor, June 14, 1814.]

CHAP. LV.

An Act to incorporate Trustees of the Ministerial Fund of the first Parish in York.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That David Sewall, Joseph Bragdon and Daniel Sewall, Esquires, inhabitants and freeholders in the first parish in York, be, and hereby are made a body corporate, with perpetual succession, by the name and stile of "The Trustees of York first parish Ministerial Fund;" and the said Trustees and their successors in office, shall have the care and superintendence of the said fund, which was voted and agreed upon by the said parish, at a legal meeting of the qualified voters thereof, on the first day of December, 1797; the said Trustees to give bond in double the amount of the capital sum of said fund, at the time of their appointment, and to continue in office for the term of five years from the commencement of the term for which they were last appointed, and until others shall be chosen in their stead, and give bond as aforesaid: At the expiration of five years from the last appointment, and so successively every five years, the legal voters of said parish by ballot, to make a new choice of three Trustees, who shall be inhabitants and freeholders in said parish; And in case of a vacancy by death or otherwise within the said five years, the survivor or survivors, together with the Assessors of the said parish for the time being, to supply the vacancy for the remainder of the term: And the said Trustees shall keep a record of their proceedings, (which are to be open to the inspection and examination of the Assessors at all reasonable and convenient times) wherein all donations to the said fund are to be entered and credited: And the capital of said fund shall be put and placed at interest, and the interest annually accruing, together with all donations and additions to be added to the principal, until the interest annually arising from the capital thus accumulated,

Persons incor-
porated.

Shall make a
new choice of
Trustees.

Shall keep re-
cord of pro-
ceedings.

shall amount to two hundred and fifty dollars. And when the said fund shall be thus productive, the interest thereof shall be annually appropriated towards the support of a Congregational Minister in said parish, and for no other purpose whatever : *Provided nevertheless*, Proviso. That when the interest of said capital shall amount to the annual sum of two hundred and fifty dollars aforesaid, if the said parishioners shall think proper, at a legal meeting called for that purpose, to increase the capital sum of said fund still further, before the interest shall be applied for the purpose aforesaid, they shall have power so to do.

SEC. 2. *Be it further enacted*, That the said Trustees may sue and be sued in their corporate capacity by the name and stile aforesaid ; and shall be liable to all the duties and obligations expressed by the parishioners, in their votes and agreements aforesaid : And for neglect of the duties of their appointment, or malefeasance therein, may be jointly or severally removed therefrom, by the Supreme Judicial Court of this Commonwealth. May be sued,
Sec.

SEC. 3. *Be it further enacted*, That the said Trustees may in their said corporate capacity, take, hold and retain any estate real, personal or mixed, for the purposes aforesaid, the annual income of which shall not exceed one thousand dollars. And whenever the said Corporation shall be seized of real estate, in fee, for life or term of years, which they may determine necessary or expedient to alienate, for the effectual or beneficial discharge of the duties of the institution, they or the major part of them, may by deed under their hands and seals, sell, lease and convey the same ; and the conveyance thus made, acknowledged and recorded, shall effectually vest such real estate in the vendee or lessee, in such manner as may be expressed in the conveyance thereof. May hold real
and personal
estate.

[Approved by the Governor, June 14, 1814.]

CHAP. LVI.

An Act in addition to an act, entitled “An Act incorporating the Rector, Wardens and Vestry of the Episcopal Church in Dedham, for certain purposes.”

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That each and every person, who is or shall become a proprietor of a pew or pews in said Church, and any person or persons proposing to attend public worship there, and not having been heretofore a proprietor of said Church, nor having been made a member of said Church or Society, by a vote of the said proprietors, who shall enter his or her name with the Rector, Wardens and Vestry or Clerk of said Church, shall be deemed and taken to be members of said Episcopal Church or Society, and they with their estates shall be liable to all lawful taxes and assessments, for the purposes hereinafter mentioned, but no one besides the proprietors of the pews shall be entitled to a vote in said Church, unless he or they shall be admitted by vote of said proprietors to hold a vote and an office in said Church, and then only from year to year; and the members of said Episcopal Church or Society shall be, and they with their estates are hereby exempted from all other taxes and assessments for the support of public worship, in the towns or parishes where they may respectively reside: *Provided*, That persons hereafter becoming members as aforesaid, shall give notice thereof in writing to the Assessors or Clerk of the town or parish where they reside, and until such notice shall not be entitled to the exemption aforesaid: *Provided also*, That persons withdrawing from said Episcopal Church or Society, who shall give notice thereof in writing to the Wardens and Vestry or Clerk, for the time being, shall be no longer liable to any taxes or assessments afterwards granted and voted therein, and they with their estates shall again become liable to all other taxes and duties for the support of public worship, in the parishes or

Manner of becoming a member.

Proviso.

Proviso.

towns where they may respectively reside, in the same manner as other inhabitants are liable who have not been entitled to any special exemption.

SEC. 2. *Be it further enacted*, That said Episcopal Church or Society, shall be capable to take and hold, by gift, grant or purchase, any real or personal estate, and to manage, sell, lease or dispose of the same, and for that purpose shall have a common seal, to be established, altered and renewed at their pleasure : *Provided*, May hold real and personal estate. That the real estate holden by them, at any one time, shall not exceed in annual value the sum of five thousand dollars ; *and provided*, That no sale thereof shall be valid and effectual, until the same shall be made with the concurrence of their Rector, and two thirds at least of the proprietors of the pews, being members of said Church or Society. Proviso.

SEC. 3. *Be it further enacted*, That the said Episcopal Church or Society, shall have the same authority Powers. and power in granting, voting, assessing and collecting taxes, for the maintenance of a Rector, Incumbent or Minister, and the support of public worship, which Congregational parishes have or may enjoy by virtue of any general statute or statutes of this Commonwealth ; and assessments of taxes lawfully made for the said Episcopal Church or Society, remaining due and unpaid after six months notice thereof, shall and may be recovered in an action at law, in their name to be brought, as for sums of money due and owing to the said Church or Society, against the parties liable therefor, their executors or administrators.

SEC. 4. *Be it further enacted*, That the proprietors of pews in said Church be, and they are hereby authorised to raise money by assessment on all said pews, to defray the expense of public worship and repairing the Church, or rebuilding the same, and other incidental expenses ; but no proprietor of a pew or pews shall be obliged to pay the tax so levied or assessed, *provided*, May raise money by assessment. that he expresses in writing to the Wardens, his consent that they may occupy or let his pew or pews, from year to year, until he, the said proprietor, his heirs, executors or administrators, shall pay the said tax, or until the same shall have been realized by the Wardens from the rent of said pew or pews. Proviso.

Officers, how
appointed.

SEC. 5. *Be it further enacted*, That the officers of said Corporation or Society shall be appointed agreeably to the present constitution and rules of said Church ; *Provided*, They contain nothing contrary to the constitution and laws of this Commonwealth ; and that all leases that have been heretofore executed by the Rector, Warden and Vestry, in pursuance of the act to which this is in addition, and in conformity to the votes of the proprietors of the Church, shall be equally valid in law, as any leases that may be executed by the Rector, Wardens and Vestry, after the passing of this act and in conformity thereto ; and also all deeds of pews that have been executed by the Rector and Wardens.

May issue war-
rant.

SEC. 6. *Be it further enacted*, That Horatio Townsend, Esq. one of the proprietors of said Church, be, and is hereby authorised to issue his warrant, directed to some principal proprietor of said Church or member of said Society, requiring him to notify and warn the other members thereof, qualified to vote in manner as aforesaid, to meet at some suitable time and place within said town of Dedham, to choose such officers as they are authorised by their constitution to choose, and to do and transact all such other matters and things as may be necessary for the due organization and regulation of said Church and Society.

[Approved by the Governor, June 14, 1814.]

CHAP. LVI.

An Act to regulate the taking the Fish called Salmon, Shad, and Alewives, in the Sebasticook river, in the town of Clinton.

May take fish.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall and may be lawful for the town of Clinton to take Salmon, Shad, and Alewives, within the limits of said town, in the Sebasticook river, from the northerly line of the town of Winslow, to the north-

erly line of land owned, occupied, and now in the possession of Abram Wallis, in said town of Clinton, on such days only, as are or may be allowed by law, for catching Fish within the county of Kennebec, and at such places within these limits, as a committee, who may be appointed by the town, as is hereafter provided, may direct.

SEC. 2. *Be it further enacted*, That the inhabitants of the town of Clinton, at their meeting for the choice of Town Officers, in the month of March, or April, annually, be, and hereby are authorised and empowered, to choose by ballot, three or five persons, being freeholders in said town, a committee to oversee the taking said Fish as aforesaid, which committee shall be sworn to the faithful discharge of their trust, and shall distribute the Fish taken by them, or under their direction, as equally as circumstances will admit, to such of the inhabitants of said town, or other persons, as may apply for the same; and for the Fish so supplied and delivered, the committee aforesaid shall demand and receive, of the person or persons applying therefor, payment, at such rate or rates, as the inhabitants of said town, at their annual meeting in March or April, may direct, excepting of such poor persons, as shall be named in a list to be annually made out by the Selectmen of the town, and who, in the opinion of said Selectmen, are unable to pay for the same; which list shall be given to the committee, and the person or persons borne on said lists, shall be supplied with such quantities of said Fish, (gratis,) as the committee shall think expedient; and the said committee shall have such allowance for their services, as the inhabitants of said town, in open town meeting, may determine; and shall annually, in the month of September, next after their appointment, exhibit to the Selectmen their accounts for settlement, and pay the balance, if any there is, into the town treasury, for the benefit of said town.

SEC. 3. *Be it further enacted*, That the town, at the time, and in the manner aforesaid, shall choose one person, being a freeholder in said town, to be treasurer of said Fishery, who shall be sworn to the faithful discharge of his duty, and he may be supplied by the

Duty of Com-
mittee and
Treasurer.

town with suitable buildings and apparatus for saving and securing Fish, and with such quantities of salt, as the town shall, at their annual meeting, direct and order; and it shall be the duty of said treasurer, to receive into his possession all such Fish as may be taken and not disposed of, in eight hours from the time the same are taken from the water. And it shall be the duty of the said committee to deliver to said treasurer, at such place or places as he shall direct, all such Fish as shall not be by them sold as aforesaid. And it shall be the duty of said treasurer to save and cure said Fish which may come into his hands, in such way as he shall think most for the interest of said town, and sell and dispose of the same for the benefit of said town; and the said treasurer shall annually, on or before the first Monday of March, next after his appointment, exhibit to the Selectmen of said town, a full and fair statement of his proceedings in writing, with the amount of towns' property on hand, together with his claims for services and expenditures, and pay over to the treasurer of said town, the balance which may remain in his hands, for the benefit of said town.

Powers.

SEC. 4. *Be it further enacted*, That the said committee are hereby empowered, if thereunto licensed by a vote of said town, to sell at public vendue, all, or any part of said Fishery, to the highest bidder, and by their memorandum in writing, to authorize any purchaser or purchasers, to take said Fish and dispose of the same, agreeably to the provisions of this act, or in such manner as the committee shall in their license authorize and direct.

Fine and for-
feiture.

SEC. 5. *Be it further enacted*, That if any person or persons, other than the committee, or such person or persons, as shall be employed or authorized by them, shall take any of said Fish in said Seabasticook, within the aforesaid limits, at any time, or by any ways or means whatsoever, each person so offending, and the parent, guardian, master, or mistress of any minor who shall so offend, shall forfeit and pay a sum not exceeding twenty dollars, nor less than five dollars, for each offence; and all the Fish so unlawfully taken, shall likewise be forfeited; and it shall be lawful for the

committee, or any of them, or any person or persons employed by them to take Fish from said river, to seize all Fish so unlawfully taken, and dispose of the same for the benefit of said town.

SEC. 6. *Be it further enacted*, That the committee chosen as aforesaid, or either of them, or any person or persons employed by them, shall have liberty and authority, for the purposes aforesaid, to go on the lands of any person or persons, through which the said Sebasticook passes, without being considered trespassers; and any person who shall molest or hinder said committee, or either of them, or any person or persons employed or authorized by them, in the execution of their duty, shall forfeit and pay for each offence, a sum not exceeding twenty dollars, nor less than ten dollars: *Provided* ^{Privilege.} *however*, The said committee are authorized and required, to pay to any owner or proprietor, such compensation as the major part of said committee shall direct, as a compensation for any damages they may sustain by said committee, or persons employed by them to take said Fish on their lands or possessions.

SEC. 7. *Be it further enacted*, That it shall be the duty of the treasurer of said town, for the time being, and he is hereby authorized, upon the complaint of any of the committee aforesaid, to sue for any forfeitures incurred by the breach of any of the regulations provided in this act; and all sums and forfeitures incurred by the breaches of any of the provisions of this act, shall be for the benefit of said town, and all actions shall be prosecuted by an action on the case, in any court proper to try the same; and no person shall, by reason of his being one of said committee, or an inhabitant of said town, be disqualified from being a witness in any prosecution for a breach of this act. ^{Penalties to be recovered.}

[Approved by the Governor, June 14, 1814.]

COMMONWEALTH OF MASSACHUSETTS.

.....

Secretary's Office, August 9th, 1814.

By this I certify, that the Acts and Laws contained in this Pamphlet, which were passed by the Legislature, at their June Session in the present year, have been examined and compared in this Office, with the originals, and appear to be correct, excepting the following instances, viz.—~~At~~ page 514, 4th line of the 6th section, read *full value*—at page 537, 1st line, read *John Browne*—at page 556, 7th line from the top, read *Wardens*—at page 538, 11th line from bottom, omit the word *Sec.* and figure 2, and read them immediately before the last enacting clause of the same act.

ALDEN BRADFORD,

Secretary of the Commonwealth.

LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THE SESSION, COMMENCING ON THE 5th AND ENDING ON

THE 20th DAY OF OCTOBER,

1814.

CHAP. LVII.

An Act to authorise the President, Directors and Company of the Merrimack Bank to postpone the payment of their first instalment.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the President, Directors and Company of the Merrimack Bank be, and they hereby are authorized and empowered to postpone the payment of their first instalment of twenty five per centum of their capital stock until the first Monday of December next, any law to the contrary notwithstanding.*

May Postpone payment of first instalment.

[Approved by the Governor, October 10, 1814.]

CHAP. LVIII.

An Act in addition to an act, "entitled An act to incorporate the President, Directors and Company of the Newburyport Bank."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing*

Amount of capital stock and of each share

Proviso.

of this act, the capital stock of the Newburyport Bank, shall be divided into shares of sixty dollars each, and the whole number of shares shall be three thousand and five hundred ; any thing in the act, to which this is an addition, to the contrary notwithstanding : *Provided however,* That no dividend of the capital stock of said Bank, as now existing, shall be made, until proof shall have been made to the satisfaction of the Governor and Council, or of Commissioners by them appointed, that there actually exists in the vaults of the Bank specie belonging to the Corporation, sufficient to pay off all the bills of the Bank in circulation. and all deposits, and other demands existing against the same, beyond the sum then to be divided : *Provided also,* That nothing herein contained, shall be construed to affect the liability of the Corporation, or the individual Stockholders, as established by the original act incorporating the said Bank.

[Approved by the Governor, October 13, 1814.]

CHAP. LIX.

An Act in further addition to an act, entitled “ An act to incorporate the President, Directors and Company of the Springfield Bank.”

Amount of capital stock and of each share.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the capital stock of the President, Directors and Company of the Springfield Bank shall, and may consist of the sum of one hundred and twenty five thousand dollars, and no more ; any thing in the act incorporating them notwithstanding—to be divided into shares of one hundred dollars each, to be paid in four equal instalments ; the whole of the first instalment to be paid on or before the first day of November next, and the other instalments at the times prescribed by a law, in this behalf, passed in June last.

SEC. 2. *Be it further enacted,* That the proceedings of said Corporation shall, and may be valid, notwith-

standing their having failed to pay in the whole of the first instalment by the time prescribed by said law, passed in June last ; *Provided*, they shall pay in the Proviso. first instalment by the time herein set and limited ; and *Provided also*, That no money shall be loaned or discounts made, nor shall any bills or promissory notes be issued from said Bank, until the capital subscribed and actually paid in, and existing in gold and silver in their vaults, shall amount to one fourth part of the capital stock of said Bank.

SEC. 3. *Be it further enacted*, That whenever the Legislature shall require it, the said Corporation shall Shall loan to the Commonwealth. loan to the Commonwealth any sum of money that may be required, not exceeding ten per centum of the amount of the capital stock actually paid in, at any one time, reimbursable by five annual instalments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest at a rate, not exceeding five per centum per annum : *Provided however*, Proviso. That the Commonwealth shall never, at any one time, stand indebted to said Corporation, without their consent, for a larger sum than twenty per centum of the capital stock actually paid in.

SEC. 4. *Be it further enacted*, That, in all respects, not herein otherwise specially provided for, the said Corporation shall be subject to all the duties, and liable to all the restrictions and conditions, by law imposed upon them.

[Approved by the Governor, October 13, 1814.]

CHAP. LX.

An Act to incorporate the Wellington Cotton Mill Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Simeon Williams, Joshua Persons incor- Williams, Isaac Babbitt, Barnabas Crane, Adoniram porated. Crane, Nathaniel Wheeler, 2d, Jonathan Walker,

Nathaniel Walker, Hezekiah Anthony, Seth Presbrey and Job King, Jun. with such as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation by the name of 'The Wellington Cotton Mill Company, for the purpose of manufacturing cotton cloth in the town of Wellington, in the county of Bristol ; and for such purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold real
and personal
estate.

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding thirty thousand dollars, and such personal estate, not exceeding sixty thousand dollars, as may be necessary and convenient for the purposes aforesaid.

[Approved by the Governor, October 15, 1814.]

CHAP. LXI.

An Act to establish the Springfield Manufacturing Company.

Persons incor-
porated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Benjamin Jenckes, Washington Jenckes, Joseph Bucklen and George Wilkinson, together with such persons as have already associated with them, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a Corporation, by the name of the Springfield Manufacturing Company, for the purpose of Manufacturing cotton and woollen cloth and yarn, and also iron, in the towns of Springfield and Ludlow, in the county of Hampden, with the business necessarily connected therewith ; and for such purposes shall have all the powers and privileges, and be subject to all the

duties and requirements, contained in an act passed in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of one hundred thousand dollars, and such personal estate, not exceeding the value of four hundred thousand dollars, as may be necessary and convenient for carrying on the Manufacture aforesaid.

May hold real and personal estate.

[Approved by the Governor, October 15, 1814.]

CHAP. LXII.

An Act to provide for the settlement of accounts for military services and supplies.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That His Excellency the Governor, with advice of Council, shall appoint three suitable persons as Commissioners on military accounts, whose duty it shall be, to receive, adjust and finally settle all accounts against the Commonwealth for military services or supplies, and for expences connected with any military operations, rendered by, or under the authority of the State. And the said Commissioners may prescribe the forms of accounts, and direct what vouchers shall be necessary to passing all such accounts. And the Governor, with advice of Council, may draw his warrants on the Treasurer in favour of said Commissioners for such sums, as may from time to time, be required, for paying said accounts, which sums shall remain in the hands of the Treasurer, subject to the orders of the Commissioners, or any two of them, which orders shall be drawn on each separate account, and shall refer to the same : *Provided how-* ever, That in lieu of drawing his warrants on the Treasurer as aforesaid, the Governor may, whenever

Gov. to appoint Commissioners.

Provide.

he sees fit, direct the Commissioners to report their accounts, as passed for final allowance, and payment by the Governor and Council.

Shall arrange
claim against
United States.

SEC. 2. *Be it further enacted*, That the said Commissioners shall prepare and arrange the claim of this State against the United States, with the vouchers to support the same, and file all such papers and accounts in the office of the Secretary of the Commonwealth, in such manner, and under such directions as they may, from time to time, receive from the Governor and Council, or the Legislature ; and they shall also, make monthly reports to the Governor and Council, when in session, of all accounts allowed by them.

SEC. 3. *Be it further enacted*, That the Commissioners to be appointed under this act, shall receive such compensation for their services as the Legislature shall from time to time direct.

[Approved by the Governor, October 15, 1814.]

CHAP. LXIII.

An Act repealing an act, entitled “ An act, supplementary to an act entitled an act, for regulating, governing and training the Militia of this Commonwealth.”

Act repealed.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That an act, entitled “ An act, supplementary to an act, entitled an act for regulating, governing and training the Militia of this Commonwealth,” passed on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and eleven, be, and the same hereby is repealed ; and that the persons therein described shall be bound and obliged to perform military duty, and liable to the same penalties and forfeitures for the non performance of the same, as other citizens of this Commonwealth, not otherwise exempted ; any thing in the said act to the contrary notwithstanding.

[Approved by the Governor, October 15, 1814.]

CHAP. LXIV.

An Act in addition to an act, entitled “An act to incorporate the President, Directors and Company of the Pawtucket Bank.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of an act, entitled an act, to incorporate the President, Directors and Company of the Pawtucket Bank, as regards the times at which the Stockholders of said Bank, are required to pay in their several instalments of the capital stock thereof, be, and hereby is repealed; and that the Stockholders of said Bank be, and hereby are required to pay in the several instalments of the capital stock of the said Bank, at the following periods, to wit; the first instalment on the first Tuesday of June next; the second instalment on the first Tuesday of December then next following; the third instalment on the first Tuesday of June then next following; and the fourth instalment on the first Tuesday of December next after; or at such earlier times as the Stockholders, at any meeting thereof, may order.

Act in part repealed.

Time for paying instalments.

[Approved by the Governor, October 15, 1814.]

CHAP. LXV.

An Act to incorporate the Oxford Central Cotton and Woollen Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Fisk, John Hudson, William S. Fisk, Henry G. Learned, Joel and Daniel Eddy, Amos Hudson, Ezra Lovell, and Silvanus Pratt, together with such others as may hereafter associate with them, their successors and assigns, be, and

Persons incorporated.

they are hereby made a Corporation, by the name of the Oxford Central Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the said town of Oxford ; and for this purpose, the said Company shall have all the powers and privileges, and shall be also subject to the same duties and requirements, as are prescribed and contained in an act, entitled "an act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity, may lawfully hold and possess real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactures of the said company, in the said town of Oxford.

[Approved by the Governor, October 17, 1814.]

CHAP. LXVI.

An Act in further addition to an act, entitled "An act for regulating, governing and training the Militia of this Commonwealth."

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That, in addition to the officers of the Militia of this Commonwealth, provided for by the act entitled "An act for regulating, governing, and training the Militia of this Commonwealth," passed on the sixth day of March, in the year of our Lord one thousand eight hundred and ten, and in pursuance of an act of the Congress of the United States, approved on the eighteenth day of April, in the year of our Lord, one thousand eight hundred and fourteen, there shall be to each division of the Militia of this Commonwealth, one Division Inspector, with the rank of Lieutenant Colonel, and one Division Quarter Master, with the rank of Ma-

May hold real
and personal
estate.

Number of of-
ficers to a Di-
vision and Bri-
gade.

jor, and to be appointed and commissioned by the Governor and Commander in Chief of this Commonwealth ; to each brigade, one Aid-de-Camp, with the rank of Captain, to be appointed by the Brigadier General of said brigade, and commissioned by the Governor and Commander in Chief, and it shall be incumbent on the said officers to do and perform all the duties which by law, and military principles, are attached to their offices respectively.

[Approved by the Governor, October 17, 1814.]

CHAP. LXVII.

An Act to incorporate the Globe Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Thomas Upham, David Fisk, Samuel Newell, James Walcott, Jun. Perry Persons incor-
porated. B. Walcott, Josiah J. Fisk, and Francis Wheelock, together with such other persons as may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of The Globe Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn, in the town of Sturbridge, in the county of Worcester ; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled “ an act defining the general powers and duties of Manufacturing Corporations,” passed the third day of March, eighteen hundred and nine.

SEC. 2. *Be it further enacted,* That the said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand May hold real
and personal
estate. dollars, and such personal estate, not exceeding the value of fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid, in said town of Sturbridge.

[Approved by the Governor, October 17, 1814.]

CHAP. LXVIII.

An Act in addition to the act, establishing a Marine Society at Newburyport.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the Marine Society at Newburyport, may regulate and determiné on their times of meeting, any thing in the act establishing that Society, passed on the eleventh day of October, one thousand seven hundred and seventy-seven, or in their bye-laws, as at present existing, to the contrary notwithstanding.*

[Approved by the Governor, October 18, 1814.]

CHAP. LXIX.

An Act to establish the pay and rations of the militia while in actual service, and the allowance to be made to them for arms, equipments and clothing, when furnished by themselves.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the militia, while in actual service, shall be entitled to receive the same pay and rations as are now allowed to the regular troops of the United States, and the value of the rations shall be considered at twenty cents each.*

SEC. 2. *Be it further enacted, That each non-commissioned officer and private, who shall arm and equip himself according to law, and so keep himself armed and equipped while in actual service, shall be entitled to receive therefor, fifty cents per month.*

SEC. 3. *Be it further enacted, That each non-commissioned officer, musician and private soldier, who shall furnish himself with a suitable military uniform and blanket, when called into actual service, shall be*

May regulate
times of meet-
ing.

Amount of pay
and rations.

Shall receive
extra pay for
arming and e-
quipping.

entitled to receive monthly pay in addition to his stated pay, as follows, viz. serjeants and musicians, four dollars ; corporals and privates, three dollars and seventy-five cents ; and those who shall not so furnish themselves with uniform clothing, shall be allowed two dollars and fifty cents per month.

Shall receive
extra pay and
rations for uniform.

SEC. 4. *Be it further enacted*, That whenever the militia shall be discharged from actual service, they shall be allowed pay and rations to their several homes, at the rate of fifteen miles per day.

[Approved by the Governor, October 18, 1814.]

CHAP. LXX.

An Act in addition to the several acts authorising the sale of real estates by Executors, Administrators and Guardians.

WHEREAS doubts have arisen whether the provision made in the sixth section of the act, passed the fourteenth day of February, in the year of our Lord one thousand seven hundred and eighty-nine, that the printing a notification three weeks successively in such gazette or newspaper as the Court authorising sales of real estates might order and direct, should be deemed equivalent to the posting up notifications as had before been directed by law, extends to such notice being given, as well by Guardians of minors and others, as by Executors and Administrators ; for removing such doubts,

Preamble.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That in all cases where any Guardian has been, or hereafter may be authorised by any Court of competent jurisdiction, to make sale of real estate belonging to the ward or wards of such Guardian, and it hath been or hereafter may be ordered by such Court, that the Guardian so authorised, should give notice of such sale or sales by printing a notification thereof in manner aforesaid, and such Guardian hath com-

Proviso.

plied or shall comply with such order, the same shall be deemed to be equivalent to the posting up notifications in manner as before by law prescribed: *Provided*, That this act shall not extend to any sale already made in pursuance of any notice by order of Court.

[Approved by the Governor, October 19, 1814.]

CHAP. LXXI.

An Act to regulate the collection of Taxes in the town of Marblehead.

Treasurer appointed Collector of taxes.

SEC. 1. **BE** it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That from and after the passing of this act, the Treasurer of the town of Marblehead shall be the Collector of taxes in said town, and shall be, and hereby is empowered to substitute and appoint under him, such and so many deputies, or assistants, as the service may require, who, together with said Collector, shall give bonds for the faithful discharge of their duty, in such sum, and with such sureties, as the Selectmen of said town may approve; and the said Collector, and his deputy, or deputies, shall have the same powers as are vested by law in collectors of taxes in other towns in this Commonwealth, and shall be subject to the same duties.

Powers.

Treasurer to issue warrant.

SEC. 2. *Be it further enacted*, That the said Treasurer may issue his warrants to his deputy or deputies, for collecting such part of the rates or assessments in said town of Marblehead, as he shall think proper to commit to such deputy or deputies, which warrant shall be of the same tenor with the warrant prescribed to be issued by the assessors for the collection of State taxes *mutatis mutandis*.

May collect taxes outstanding and uncollected.

SEC. 3. *Be it further enacted*, That the Treasurer of the said town of Marblehead, his deputy or deputies, shall be empowered to collect all such taxes as may be outstanding, and uncollected, at the time of passing this act, or at any time of the election of Treasurer hereafter,

he and his deputies having first been duly qualified by giving bonds as aforesaid.

[Approved by the Governor, October 19, 1814.]

LXXXII.

An Act to authorise the appointment of Surgeons in certain cases.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That each battalion of cavalry, and each battalion of artillery, within this Commonwealth, not attached to any regiment, shall be entitled to one Surgeon, to be appointed by the commanding officer of such battalion, and commissioned by the Com-* Governor commission Surgeons.
mander in Chief.

SEC. 2. *Be it further enacted, That in each brigade of the militia of this Commonwealth, where there are or shall be two or more companies of infantry, or riflemen, not attached to any regiment, there shall be a Surgeon, to be appointed by the commanding officer of such brigade, and commissioned by the Commander in Chief, for the service of all such companies.* Brig. General to appoint Surgeons also.

[Approved by the Governor, October 19, 1814.]

An Act for regulating Public Stables throughout the Commonwealth.

CHAP. LXXIII.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That no building of any kind whatsoever, shall be used or occupied as a public or livery stable, in any town within this Commonwealth, for the keeping, boarding, hiring or letting of horses, or other cattle, which building belonging to the owner or occupier of such public or livery stable, shall be kept*

for storing of hay, unless all the external sides and ends thereof, shall be built or composed of stone, or brick, except so much as may be necessary for doors and windows, and unless the roofs of all such buildings shall be covered with slate, tile, or some incombustible substance, or unless the same shall be approved and licensed by a majority of the Firewards in such towns where officers are chosen, or by a majority of the selectmen, where Firewards are not chosen : *Provided always*, That in case of such denial of approbation and license for any building now used and occupied as a public or livery stable, the owner or owners of such building shall receive a compensation for any damages he may thereby sustain, to be recovered by such owner or owners, and paid by the town, in such way and manner as is provided by law for the recompence of any owner or owners of land, or buildings, taken, or removed, for the laying out, or widening, of streets, within the said town of Boston.

Shall be built of
brick or stone.

Proviso.

Shall not be
near any Public
Buildings.

SEC. 2. *Be it further enacted*, That no building hereafter erected, shall be used as a public or livery stable, or for the keeping or storing of hay, unless the same shall be at least one hundred and thirty feet distant from any meeting-house, or other public edifice.

Fine and for-
feiture.

SEC. 3. *Be it further enacted*, That any person or persons who shall use or occupy any building or buildings for the purposes aforesaid, contrary to the true intent and meaning of this act, shall forfeit and pay the sum of twenty dollars for each and every week he or she may so occupy the same.

Light to be en-
closed in an in-
combustible
lantern.

SEC. 4. *Be it further enacted*, That if any person shall have in his or her possession in any stable where a horse or horses, or other cattle or hay is kept, any fire, lighted pipe, cigar, candle or lamp, unless the same be enclosed in an incombustible lantern or other incombustible vessel, he or she shall forfeit and pay for each offence, a sum not exceeding fifty dollars, nor less than five dollars.

Duty of Fire-
wards.

SEC. 5. *Be it further enacted*, That it shall be the duty of each and every fireward, and selectman, in their respective towns, and they, and each of them, are hereby required to inquire after and give information of any violations of the provisions of this act, that the same

may be prosecuted in such Courts as are proper to try the same. And all fines and forfeitures recovered shall be for the use of the town where the offence is committed.

SEC. 6. *Be it further enacted*, That this act shall be, and continue in force in the town of Boston, from and after the fifteenth day of November next ensuing, and in any other town within the Commonwealth, whenever the same shall be adopted by a majority of the inhabitants in town meeting, legally assembled, and not otherwise.

How long to continue in force.

[Approved by the Governor, October 19, 1814.]

CHAP. LXXIV.

An Act to provide for the safe keeping of the entrenching tools of this Commonwealth.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Quarter Master General be, and he is hereby charged with the custody and safe keeping of all the spades, shovels, pick axes, mattocks, crow-bars, barrows, and other entrenching tools and implements, being the property of this Commonwealth, and shall provide, at the public expense, suitable store houses and places of deposit for the same, when not in actual use; and it shall be the duty of said Quarter Master forthwith to cause the same to be designated by suitable permanent brands or marks, in some conspicuous place, upon each tool or implement, whether of wood, iron or other substance, that the same may be at all times known and designated as the property of this Commonwealth.

Shall appoint a place of deposit and cause marks.

SEC. 2. *Be it further enacted*, That any person who shall purchase, retain or have in his custody or possession either or any of the tools or implements aforesaid, the same not having been delivered to him or them by any officer or officers, agent or agents of this Commonwealth, having power and authority so to deliver the

Punishment by
fine.

same, shall be taken and deemed to be guilty of a misdemeanor. and shall be liable to be punished therefor, by fine, not exceeding ten times the just value of such article.

[Approved by the Governor, October 19, 1814.]

CHAP. LXXV.

An Act to alter and change the names of certain persons therein mentioned.

Names altered.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, Joseph Adams, of the late firm of Johnson & Adams, of Boston, in the county of Suffolk, shall be allowed to take the name of Joseph Henry Adams ;— That Thode Coats, of Middlefield, in the county of Hampshire, shall be allowed to take the name of Theodore Coats. And the several persons before named, from the time of the passing of this act, shall be called and known by the names, which, by this act, they are respectively allowed to take and assume as aforesaid ; and the said names shall forever hereafter be considered as their only proper and legal names, to all intents and purposes.

[Approved by the Governor, October 19, 1814.]

CHAP. LXXVI.

An Act empowering the Firewards of the town of Boston, to permit the building of Stables, and of Gun-houses, in certain cases.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Firewards of the town of Boston be, and they hereby are authorised and em-

powered to permit Stables to be built of brick, and properly slated, on land owned by Benjamin French, Jonathan Lovejoy, and Oliver C. Wyman, and others, situate in Back-street, in said town; and on land owned by Mary White, and situate near Marlborough-street and Hawley-street, in said town, and also to permit the continuance of any Gun-houses, which are now erected within said town, on such terms and conditions as the said Firewards may find to be consistent with the safety of said town from fire, any law to the contrary notwithstanding.

[Approved by the Governor, October 19, 1814.]

CHAP. LXXVII.

An Act to establish a Military Corps for the defence of the Commonwealth of Massachusetts.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That his Excellency the Governor and Commander in Chief of the Militia of this Commonwealth, with the advice of Council, be, and he hereby is authorised and empowered to raise by voluntary enlistments, under such regulations as he may prescribe, a Military Corps, not exceeding in rank and file ten thousand men, for the defence of this State, during the present war, unless sooner discharged by the Commander in Chief; that said Military Corps shall consist of ten regiments—eight of infantry, and two of artillery, to be formed into brigades and divisions, as the Commander in Chief may direct; that each regiment of infantry shall consist of eight companies of infantry, one company of light infantry, and one company of riflemen; and that each company be composed of one Captain, two Lieutenants, one Ensign, five Sergeants, four Corporals, four Musicians, and ninety-six Privates; that each regiment of artillery shall consist of ten companies, and that each company shall be composed of one Captain, three Lieutenants, five Sergeants,

Governor to
raise ten thousand men.

Artillery to act
as cavalry.

four Corporals, four Musicians, eighty-eight Privates, and six Drivers ; and that one half of each regiment of artillery, shall be composed of horse artillery, which at the pleasure of the Commander in Chief, shall act also as cavalry.

Officers com-
posing the regi-
mental staff.

Regimental
staff to be ap-
pointed by the
Lt. Colonels.

SEC. 2. *Be it further enacted*, That to each regiment there shall be one Lieutenant Colonel and two Majors, and that the Regimental Staff shall consist of one Adjutant, one Quarter Master, one Pay Master, one Chaplain, one Surgeon, two Surgeon's Mates, two Sergeant Majors, one Quarter Master's Sergeant, one Drum Major, and one Fife Major. All the Regimental Staff shall be appointed by the Lieutenant Colonels, excepting Pay Masters, Chaplains and Surgeons, the two latter of which shall be appointed by the Commander in Chief, with the advice of Council ; the Pay Master of each regiment shall be chosen by a majority of the written votes of the commissioned officers, including the Field and the Staff of each regiment respectively, and commissioned by the Commander in Chief, who shall require of the respective Paymasters such bonds, with sureties, as he may think proper, with condition, faithfully to perform the duties of their respective offices.— The Captains of companies shall appoint their non-commissioned officers, and the Lieutenant Colonels shall issue warrants to the Sergeants.

Captain to ap-
point non-com-
missioned offi-
cers.

Two regiments
shall be imme-
diately raised.

SEC. 3. *Be it further enacted*, That one of said regiments of infantry, to be called the first regiment of infantry, and one of the said regiments of artillery, to be called the first regiment of artillery, shall be immediately raised and called into actual service, pursuant to such orders as the Commander in Chief may issue, and shall be stationed and employed as he may direct.

Gov. to accept
services of vol-
unteers.

SEC. 4. *Be it further enacted*, That the remaining seven regiments of infantry, which shall be numbered by the Commander in Chief, and the other regiment of artillery, which shall be called the second regiment of artillery, shall be immediately raised either by voluntary enlistment as aforesaid, or by such volunteer corps as the Commander in Chief, with the advice of Council, may think fit to accept, should any such corps tender their services ; that said regiments shall be forth-

with armed and equipped, and prepared for actual service, to march at a moment's warning, and shall be called out for discipline, at such places, and on such days, as the Commander in Chief may designate; and when called into actual service, shall be stationed and employed as he may direct; and that the non commissioned officers and privates, who may enlist in the said regiments, or volunteer their services, shall, during the term of their enlistment, be exempted from the performance of militia duty, and from the payment of poll taxes.

shall be exempted from poll taxes.

SEC. 5. *Be it further enacted,* That the pay, rations, clothing, and other stated monthly emoluments of the said first regiment of infantry, and of the first regiment of artillery, be the same in all respects as are now allowed to officers and members of similar corps, of like rank, in the actual service of the United States; and that the pay and rations of the eight remaining regiments shall be the same as the pay and rations aforesaid, during the time they shall be called out for discipline; and when embodied for actual service, they shall be entitled to all the emoluments and clothing as aforesaid; and in case of wounds or disability, received while in the service of the State, they shall receive the same compensation as is allowed to the wounded and disabled troops of the United States.

Pay, rations, clothing, &c. same as United States.

SEC. 6. *Be it further enacted,* That the Commander in Chief with the advice of Council, be, and he hereby is authorised and empowered to appoint and commission as many Major Generals to command in said corps as he may think necessary, not exceeding two; and as many Brigadier Generals as he may think necessary, not exceeding four; and that he shall appoint and commission all Field and Company officers, and shall issue commissions to all officers entitled thereto; that each Major General be entitled to two Aids-de-Camp, and each Brigadier General to one Aid-de-Camp, to be nominated by their respective principals, and if approved by the Commander in Chief, commissioned by him; the Aids-de-Camp of Major Generals with the rank of Major, and the Aid-de-Camp of Brigadier Generals with the rank of Captain; that the Commander in Chief

Gov. to appoint and commission officers.

shall appoint and commission all such other staff officers, whether for divisions or brigades, as he may deem necessary for good order and discipline ; and that the Commander in Chief make all such arrangements in the Quarter Master's, Commissary's and Medical departments, as the good of the service may, in his judgment, require ; and make all the requisite appointments of officers for organizing the same and commission them accordingly.

Gov to pre-
scribe uniform

SEC. 7. *Be it further enacted*, That the Commander in Chief with the advice of Council, be, and he hereby is empowered to prescribe the uniform of said regiments, and the manner in which they shall be severally armed and equipped.

Shall be subject
to rules and re-
gulations.

SEC. 8. *Be it further enacted*, That the aforesaid Military Corps, and all the officers and members thereof, shall be governed by, and be subject to the rules and articles established and declared to be in force, for governing all troops stationed in forts and garrisons within this Commonwealth ; and also the militia, or any part thereof, when called into actual service, passed on the twenty-fourth day of October, in the year of our Lord one thousand seven hundred and eighty-six.

[Approved by the Governor, October 20, 1814.]

CHAP. LXXVIII.

An Act in addition to an act, entitled “ An act to provide for the settlement of accounts for military services and supplies.”

Gov to appoint
two additional
persons.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That his Excellency the Governor, with advice of Council, shall appoint two suitable persons, in addition to the three persons to be appointed in virtue of an act, entitled an act to provide for the settlement of accounts for military services and supplies, and the same to remove at pleasure, and appoint others in their stead ; and the five persons thus

appointed shall constitute and be denominated a Board of War, who shall perform and execute such duties, as shall, from time to time, be enjoined on or entrusted to them by the Governor of the Commonwealth, agreeably to the Constitution, relative to military commissions, or to the land and naval forces, ships, or warlike stores of this Commonwealth ; or to such other matters respecting military or naval affairs, as the Governor shall assign to said Board. And the said Board of War shall have authority to choose one person from their number, whose pecoliar province it shall be, to perform all the duties in relation to receiving, adjusting and settling accounts, which are prescribed in the act to which this is in addition ; and they shall also have authority to choose one person from their number, whose peculiar province it shall be, to pay all such accounts as shall be duly adjusted and settled, who shall give bond to the Treasurer of this Commonwealth, with sufficient sureties to be approved by the Governor and Council, conditioned, that he will faithfully pay over all such sums of money as may come to his hands, and do and perform all the duties enjoined upon him by virtue of this act.

Accountant.

Paymaster,
who shall give
bond.

SEC. 2. *Be it further enacted,* That in case of disagreement between any persons presenting accounts for adjustment and allowance, and the person appointed to audit the same, such accounts shall be submitted to the whole Board, whose duty it shall be to revise, adjust and finally settle the same.

Board of War
to adjust and
settle accounts.

SEC. 3. *Be it further enacted,* That the Governor, with advice of Council, may draw his warrants on the Treasury, from time to time, in favour of the person who shall be appointed to pay the same ; which money shall remain in the hands of said Paymaster, subject to such orders as shall be drawn upon him by the Auditor, from time to time, in favour of those whose accounts shall be allowed. And the said Paymaster shall also, from time to time, exhibit his accounts to the Auditor for settlement ; and the same shall be stated and allowed by him, and afterwards revised by the said Board, or a majority of them.

Gov. to draw
warrants.

Salary of Commissioners.

SEC. 4. *Be it further enacted*, That each of said Commissioners shall be entitled to receive as a compensation for his services, one thousand dollars annually, during the time of their continuance in office ; and the person who shall be appointed Auditor, shall be entitled to receive four hundred dollars annually, in addition to the compensation made to the other members of the Board.

Board of War may appoint Secretary and Clerks.

SEC. 5. *Be it further enacted*, That the said Board may appoint a Secretary, and such number of Clerks, not exceeding three, as they may find necessary, and to make them a reasonable compensation for their services.

Act in part repealed.

SEC. 6. *Be it further enacted*, That this act shall continue in force till the end of the next session of the General Court, and no longer ; and that so much of the above recited act, as may be contrary to the provision of this act, shall be, and the same hereby is repealed.

[Approved by the Governor, October 20, 1814.]

CHAP. LXXIX.

An Act to incorporate the Proprietors of the Social Law Library.

Persons incorporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That William Prescott and Joseph Hall, together with their associates, being the Proprietors of a certain Library called and known by the name of The Social Law Library, in the town of Boston, and such other person or persons, as shall hereafter be admitted members of said Association, according to the rules, orders and conditions, which shall or may from time to time be established by the bye-laws and regulations of the Corporation herein after created, shall forever hereafter be, and they are hereby created a body politic and corporate. by the name of The Proprietors of the Social Law Library ; and by the said name shall sue and be sued, plead and be implead-

ed, defend and be defended, in all, or any Court or Courts of law, or elsewhere, in all manner of actions, suits, pleas, or controversies whatsoever; and in their said corporate capacity, by their said name, they and their successors shall be capable to purchase, receive, have, hold, take, and enjoy, in fee simple, or otherwise, lands, rents, tenements, and hereditaments; and likewise to take, receive, and hold by donation, subscription, bequest, or otherwise, money, goods, chattels, and personal property, and the same to give, grant, sell, and dispose of at their pleasure, so that the real and personal estate aforesaid, and the income and proceeds thereof, shall at all times be appropriated to the purposes of creating, enlarging, managing, and improving said Library; *provided nevertheless*, Provided. that the said Corporation shall at no time have or hold lands, rents, tenements, or hereditaments, for any other purpose than shall be necessary for the safe keeping and suitable accommodations of said Library, not exceeding in value twenty thousand dollars; and the said Corporation shall have power to have and use a common seal, and to alter, change, and renew the same, whenever they shall think the same expedient.

SEC. 2. *Be it further enacted*, That the said Corporation shall have full power and authority, to determine at what times and places their meetings shall be holden; and on the manner of notifying the associates or proprietors to convene at such meetings; and they shall have power to order and lay assessments upon the proprietors; to elect, once in every year, or oftener, from amongst the said proprietors, such officers, with such powers as they may think expedient; and also to ordain and enact any bye-laws for the due and orderly government of said Corporation, and for conducting the affairs thereof, and for, and concerning all matters and things relating to said Corporation, and the same, at pleasure, to alter, amend, and repeal; *Provided* That such powers vested, and bye-laws enacted, shall not be repugnant to the Constitution and laws of this Commonwealth. Times and places of meeting. Provided.

Fines.

SEC. 3. *Be it further enacted*, That for the purpose of giving a more effectual sanction to said bye-laws, the said proprietors shall have power to impose fines, not exceeding five dollars, for the non-fulfilment or breach of the said bye-laws; and that for the recovery thereof, the said Corporation shall have a suitable remedy by action at law, in any Court within this Commonwealth proper to try the same. And the said Corporation shall have further power to suspend the right of any proprietor to the use of the said Library, as a penalty for the breach of said bye-laws, or any of them; and likewise to sue for, and recover, any assessment duly imposed on the proprietors.

Proprietor's right.

SEC. 4. *Be it further enacted*, That the right, interest, and property, which each of the said proprietors and associates shall be deemed and taken to have in said Corporation, shall be the use and benefit of the said Library, according to the rules and regulations established by the bye-laws of the said Corporation, for, and during the term of his natural life; but the said shares shall be, and hereby are declared to be, not alienable or transferable.

Gov. &c. may have access to Library.

SEC. 5. *Be it further enacted*, That the Governor, Lieutenant Governor, and the Members of the Council of this Commonwealth, at all times, and the Members of the Senate, and House of Representatives, during any session of the General Court, shall have free access to, and the full and entire use and enjoyment of the said Library, and all the privileges and advantages thereof, free of expense, under the same regulations as may be provided by the bye-laws of the said Corporation, for the proprietors thereof; and the Judges of the Supreme Judicial Court, and of all the Judicial Courts of the County of Suffolk, and of the Courts of the United States, together with the Attorney General, and Solicitor General, and the Reporter of the Judicial Decisions of the Supreme Judicial Courts of this Commonwealth, and the Attorney of the United States for the District of Massachusetts, shall at all times, under the like regulations, have free access to, and the free use and enjoyment of the said Library, free of any expense.

SEC. 6. *Be it further enacted*, That for the purpose of enabling said Corporation to enlarge, increase, improve, and manage said Library, and to effect the laudable objects contemplated by said Corporation, there be, and hereby are granted and appropriated to said Corporation, all sums of money, which may be hereafter paid by way of tax or excise, by all persons admitted to practice as Attornies, in the Boston Court of Common Pleas, in the County of Suffolk; and the County Treasurer for the County of Suffolk, is hereby authorized and directed to account with, and pay over to the Treasurer of the said Corporation, or any other officer or officers, person or persons, duly authorized by said Corporation, to receive the same. the monies aforesaid, hereby granted and appropriated.

Money appropriated for increasing Library.

SEC. 7. But whereas doubts have arisen, whether the tax or excise, by law payable by attornies, on admission to the Circuit Court of Common Pleas, be extended to the Boston Court of Common Pleas, *Be it therefore further enacted*, That every person admitted as an Attorney to the Boston Court of Common Pleas, be required to pay to the Treasurer of the County of Suffolk, the same sum which is by law payable in other Counties, on admission to the Circuit Court of Common Pleas, and procure and produce to the Court, said County Treasurer's receipt therefor.

Attorney to pay Treasurer.

SEC. 8. *Be it further enacted*, That there be granted and appropriated to said Corporation, one copy of the general and special Laws and Resolves of this Commonwealth, of the Ancient Charters, of the Massachusetts Reports, and of the Laws of the United States, now on hand, to be delivered by the Secretary of the Commonwealth to the Librarian of the said Corporation, or other person authorized to receive the same; and the said Secretary is in like manner authorized to deliver to such Librarian or other person two copies of such Laws, Resolves, public documents, and reports, as may be hereafter published, or procured for the use of the Commonwealth, to be preserved in said Library.

Sec'y to furnish Library with laws, &c.

May call meet-
ing.

SEC. 9. *Be it further enacted,* That the said William Prescott, and Joseph Hall, or either of them, shall have power to call the first meeting of said Corporation, by advertising the same, seven days at least, before the day of such meeting, in some newspaper, printed in the town of Boston, at which meeting the said proprietors may proceed to execute any, or all the powers, vested in them, by this act.

[Approved by the Governor, October 21, 1814.]

LAWS

OF THE

COMMONWEALTH OF MASSACHUSETTS,

PASSED BY THE GENERAL COURT,

AT THE SESSION, COMMENCING ON THE EIGHTEENTH DAY OF
JANUARY, AND ENDING ON THE FIRST DAY

OF MARCH, 1815.

CHAP. LXXX.

An Act to authorize the Suffolk Insurance Company
to reduce its capital stock.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the Suffolk Insurance Company be, and they hereby are authorized to reduce the capital stock of the said Corporation, to one hundred thousand dollars, and to divide the excess among the Stockholders, in proportion to their respective shares, in such way and manner as a major part of the Stockholders, at a meeting to be called for that purpose, shall decide; and that in estimating the value of the property to be retained by said Corporation, regard shall be had to its specie cost: *Provided* ^{May reduce capital stock.} *however,* That the said corporation shall never take any sum, upon any one risk, exceeding ten per centum on the amount of the capital so reduced.

SEC. 2. *Be it further enacted,* That Epes Sargent, Esq. President of said Corporation, be, and he is

May call meet-
ing.

heraby empowered to call a meeting of the Stockholders of said Corporation, for the purpose aforesaid, to be holden at the office of said Corporation, on the first Monday of February next, at eleven o'clock in the forenoon, by notification in one of the newspapers, printed in the town of Boston, seven days at least, before the said day of meeting.

[Approved by the Governor, January 28, 1815.]

CHAP. LXXXI.

An Act to continue in force an act, entitled “ An act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company,” and also the several acts in addition thereto.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the act entitled “ An act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company,” passed the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and ninety-five, and also an act entitled “ An act in addition to an act, entitled an act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company,” passed the thirteenth day of February, in the year of our Lord one thousand seven hundred and ninety-nine, and also an act entitled “ An act in addition to an act, entitled an act in addition to an act to incorporate sundry persons, by the name of the Massachusetts Fire Insurance Company,” passed on the third day of March, in the year of our Lord one thousand eight hundred and six, and the powers and privileges, granted by the said acts respectively, shall be, and remain in full force, for the space of twenty years, from the twenty-fifth day of June, one thousand eight hundred and fifteen, any thing in either of the acts aforesaid to the contrary, notwithstanding.*

Acts to remain
in force.

[Approved by the Governor, January 28, 1815.]

CHAP. LXXXII.

An Act to incorporate the Stoughton Woollen and Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That* Hezekiah Gay, Be-
thuel Drake, jun. Lemuel Gay and John Gay, with Persons incor-
porated. such other persons as have or may hereafter associate with them, their successors and assigns, be, and they are hereby made a Corporation, by the name of the Stoughton Woollen and Cotton Manufacturing Company, for the purpose of manufacturing woollen and cotton goods, at Stoughton, in the county of Norfolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled, “An act defining the general powers and duties of Manufacturing Corporations.”

SEC. 2. *Be it further enacted, That* said Corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such May hold real
and personal
estate. personal estate, not exceeding the value of seventy five thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of woollen and cotton goods, at Stoughton aforesaid.

[Approved by the Governor, February 2, 1815.]

CHAP. LXXXIII.

An Act further continuing in force an act providing for the appointment of a Reporter.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That* an act entitled “An

act providing for the appointment of a Reporter of Decisions in the Supreme Judicial Court," passed on the eighth day of March, in the year of our Lord one thousand eight hundred and four, and continued in force, by two subsequent acts until the eighth day of March, one thousand eight hundred and fifteen, together with all the provisions therein contained, be, and the same are hereby further continued in force, until repealed by the Legislature.

Act farther
continued in
force.

[Approved by the Governor, February 2, 1815.]

CHAP. LXXXIV.

An Act to establish a Cotton, Woollen and Linen Factory Company in the west precinct in Bridgewater.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Howard, Edwin Howard, Ephraim Edson, Benjamin B. Howard, George Howard, 2d, Asa Briggs, Nahum Leonard, Greanleaf Pratt, Jonathan Wentworth and Charles Howard, their successors and assigns, be, and they hereby are made a Corporation, by the name of West Factory Company, for the purpose of manufacturing cotton, woollen and linen yarn and cloth, in the west precinct in Bridgewater; and for that purpose shall have all the powers and privileges, and shall be subject to all the duties and requirements, prescribed in an act entitled, "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons incor-
porated.

SEC. 2. *Be it further enacted*, That said Corporation, in their corporate capacity, shall, and may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on said manufacture, in their various branches as aforesaid.

May hold real
and personal
estate.

[Approved by the Governor, February 2, 1815.]

CHAP. LXXXV.

An Act to establish The Stow Cotton Manufactory.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Silas Jewell, Abraham Randall, jun. William Trobridge, and Winslow Dunton,* Persons incorporated. together with such other persons as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Stow Cotton Manufactory, for the purpose of manufacturing cotton yarn and cloth in the town of Stow, in the county of Middlesex; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. *Be it further enacted, That the said Corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton yarn and cloth in said town of Stow.* May hold real and personal estate.

[Approved by the Governor, February 4, 1815.]

CHAP. LXXXVI.

An Act to establish The Watertown Cotton Factory Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Amos Bond, Jeduthun Fuller, Mason Hunting, Joseph Pierce, Edward Richards,* Persons incorporated.

and Enoch Wiswell, with such others, as may hereafter associate with them, and their successors and assigns, be, and they are hereby established and made a corporation, by the name of The Watertown Cotton Factory Company, for the purpose of manufacturing cotton goods in the town of Watertown; and for this purpose shall have all the powers and privileges, and shall be subject to all the duties and requirements, prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That the said corporation, in their corporate capacity, may lawfully hold and possess such real estate, not exceeding fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton goods in the said town of Watertown.

[Approved by the Governor, February 4, 1815.]

CHAP. LXXXVII.

An Act to fix the times and places for holding the Circuit Court of Common Pleas and Court of Probate in the County of Oxford, and for other purposes.

Times and
place where
held.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Circuit Court of Common Pleas, in and for the county of Oxford, shall be holden at Paris in said county, on the last Tuesday of February, on the second Tuesday of June and on the first Tuesday of October, annually.

SEC. 2. *Be it further enacted*, That all actions pending at, and all writs, recognisances and processes now made or which may be made returnable to any of the aforesaid Circuit Courts of Common Pleas, which before the operation of this act, should have been holden at any other time or place than those in this act affixed

for holding said courts, shall be returnable to, entered, made, and determined, at the Circuit Court of Common Pleas, next to be holden in the county of Oxford, after the first day of May next, agreeable to the true intent of such writ, process, recognisance, or appeal.

SEC. 3. *Be it further enacted*, That the Courts of Probate, within and for the county of Oxford, shall hereafter be holden at the several times and places hereafter mentioned, viz. at Fryburg on the last Monday of every month in the year ; at Waterford on the Saturday next preceding the sitting of the Circuit Court of Common Pleas in February, June and October ; at Buckfield on the Monday next preceding the sitting of said court in June and October ; at Paris, on the first day of the sitting of said court, in February, June and October ; and at Bethel, Dixfield and Livermore, once in each year, on such days and in such places, in said towns, as the conveniency of the people shall require ; and it shall be the duty of the Judge of Probate, for the time being, of the said county to give public notice of the particular times and places in each of said towns, when and where he will hold the courts aforesaid.

Holding of
court of Pro-
bate.

SEC. 4. *Be it further enacted*, That whenever the Judge of Probate, for the time being of said county, shall be prevented by sickness or other inevitable casualty, from holding any of said courts, at the several times by this act provided, he is hereby authorised to appoint, such other times for holding said court, as shall be most for the interest of all concerned, by giving public notice thereof, and to adjourn said court from time to time, and to continue any process or proceedings therein to such time and place as the said Judge may consider necessary or expedient.

Provision in
case of ab-
sence.

SEC. 5. *Be it further enacted*, That the act passed on the ninth day of June, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to fix the times and places for holding the Circuit Court of Common Pleas in the County of Oxford," and also An act passed on the fourteenth day of January, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to fix the times and places for holding the Courts of Probate in the County of Oxford."

Acts repeal-
ed.

and for other purposes" be, and the same are hereby repealed.

Act, when in
force.

SEC. 6. *Be it further enacted*, That this act shall be in force from and after the first day of May next.

[Approved by the Governor, February 4, 1815.]

CHAP. LXXXVIII.

An Act to establish the town of Woodstock.

Town incor-
porated.

Boundaries.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the half township granted to Dummer Academy, and the half township granted to Gorham Academy, said half townships lying within the county of Oxford, be, and hereby are established as a town, by the name of Woodstock, within the following described boundaries, viz. beginning at the north-west corner of the town of Paris; thence south, sixty-eight and an half degrees east, on the northwardly line of Paris, to the north-east corner of said town; thence north, fourteen degrees west, on the line of the town of Sumner, three hundred and sixty rods; thence north, on the line of said Sumner, four hundred and eighty rods to a beach tree, standing in the north-west corner of said Sumner; thence north, ten degrees west, three hundred and twenty rods to a tree marked; thence north, sixty-eight and an half degrees east, eighty rods, to a tree marked; thence north seven hundred and thirty-four rods, to a spruce tree, marked and standing in the north-east corner of a half township granted to Gorham Academy; thence south, sixty-eight and a half degrees west, sixteen hundred and sixty-four rods, to a beach tree standing in the north-west corner of said grant to Gorham Academy; thence on the same course on the north line of a half township granted to Dummer Academy three miles and eight rods to the north-west corner of said half township near the westwardly side of a pond; thence south, thirty degrees east, on the westwardly line of said last mentioned half township, six miles, to the first mentioned

bounds. And the inhabitants of the said town of Woodstock are hereby vested with all the powers and privileges, and subjected to the like duties and requisitions of other towns, according to the constitution and laws of this Commonwealth.

SEC. 2. *Be it further enacted*, That any Justice of the Peace for the county of Oxford, is hereby authorised to issue a warrant, directed to a freeholder and inhabitant of the said town of Woodstock, requiring him to notify and warn the inhabitants thereof to meet at such convenient time and place as shall be expressed in the said warrant, for the choice of such officers, as towns are by law required to choose, at their annual town meetings.

Justice to issue warrant.

[Approved by the Governor, February 7, 1815.]

CHAP. LXXXIX.

An Act to establish The Monson Woollen Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Asa Gates, Luther Carter, Nathan Hoar, Hamilton Utley, and Samuel Whitney, with such others as may hereafter associate with them, and their successors and assigns be, and they are hereby made a corporation, by the name of The Monson Woollen Manufacturing Company, for the manufacture of woollen cloth in the town of Monson; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements, prescribed and contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

Persons incorporated.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess real estate to the amount of sixty thousand dollars, and personal estate

May hold real and personal estate.

to the amount of forty thousand dollars, as may be necessary and convenient for carrying on the manufacture of woollen cloths in the said town of Monson.

[Approved by the Governor, February 7, 1815.]

CHAP. XC.

An Act to incorporate the Foxborough Cotton Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That John Brayton, William Richmond, William Wood, and Hezekiah Anthony, together with such others as have, or may hereafter associate with them, their successors and assigns, be, and they hereby are made a body politick and corporate, by the name of The Foxborough Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth in Foxborough, in the county of Norfolk; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding the value of thirty thousand dollars, and possessed of such personal estate, not exceeding the sum of fifty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture aforesaid.

[Approved by the Governor, February 7, 1815.]

CHAP. XCI.

An Act granting to John L. Sullivan, a term of time for the use of his patent Steam Tow Boats on Connecticut River, within this Commonwealth.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That there be, and hereby is granted to John L. Sullivan, his heirs, executors, administrators, and assigns, on the conditions herein contained, the exclusive right to Connecticut river within this Commonwealth, for the use of his patent steam tow boats, and the improvements he may make thereon, for the space of twenty-eight years; being double the time allowed by the patent laws of the United States, from and after the expiration of his said patent, bearing date the 2d day of April in the year 1814: *Provided how-* Rights and
privileges.
ever, that the said Sullivan or his heirs, associates or assigns, shall build, and put in operation on the said river, at least one steam boat within five years from the date of this act. Proviso.

[Approved by the Governor, February 7, 1815.]

CHAP. XCII.

An Act to incorporate The Wellfleet Manufacturing Company.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Josiah Whitman, Beriah Higgins, Thomas Higgins, William Cole, John Smith, George Ward, Reuben Arey, John G. Newcomb, together with such other persons as have or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Wellfleet Manufacturing Company, for the pur- Persons in-
corporated.

pose of manufacturing cotton and woollen cloth and yarn at Wellfleet, in the county of Barnstable; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of Manufacturing Corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding twenty thousand dollars, and such personal estate, not exceeding forty thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton and woollen cloth and yarn, at Wellfleet aforesaid.

[Approved by the Governor, February 10, 1815.]

CHAP. XCIII.

An Act in addition to an act, entitled "An act to incorporate The President, Directors, and Company of the Beverly Bank."

Capital, &c.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, the capital stock of the President, Directors, and Company of the Beverly Bank, shall be one hundred thousand dollars, the number of shares to remain the same as at present established by law. And the said Corporation shall be holden to pay the tax, and to loan the Commonwealth only on the actual capital of the bank, after any dividend of the same shall have been made in pursuance of this act. And the said Commonwealth shall have a right to subscribe to the stock of said bank, only to the amount of fifty thousand dollars. *Provided however*, That no dividend of the capital stock shall be made, when the specie belonging to the corporation, actually existing in their vaults, shall be a less sum than the amount of bills in circulation, and all deposits, and other

Provido.

demands existing against the same. *And provided also,* Proviso. That nothing herein contained shall be construed to affect the liability of the corporation or the individual stockholders, as established by the act incorporating the said bank.

[Approved by the Governor, February 10, 1815.]

CHAP. XCIV.

An Act in addition to an act, entitled “An act against Forgery and Counterfeiting.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That in all cases where any person has been or hereafter may be convicted before the Municipal Court of the town of Boston, of the crimes enumerated in the act, entitled “An act against Forgery and Counterfeiting,” the person or persons who may or shall have informed and prosecuted, shall severally be entitled to the same rewards, as in the ninth section of said act is provided; and his excellency the Governor, with the advice and consent of the Council, on the certificate of the Judge of the said Municipal Court, before whom such conviction may have been or shall hereafter be had, may issue his warrant therefor on the Treasurer of this Commonwealth in the same manner, as if such conviction had been had before the Supreme Judicial Court, and such certificate granted by the Justice or Justices thereof.

Jurisdiction enlarged

[Approved by the Governor, February 10, 1815.]

CHAP. XCV.

An Act to incorporate The Easton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That David Manly, Oliver Ames,

Persons in-
corporated.

Elijah Smith, Nathaniel Howard, Elijah Lothrop, Thaddeus Howard, jun. Eliphalet Mitchell, and Asa Howard, together with such other persons as have or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Easton Manufacturing Company, for the purpose of manufacturing cotton, woollen cloth and yarn, at Easton, in the county of Bristol; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton and woollen cloth and yarn, at Easton aforesaid.

[Approved by the Governor, February 10, 1815.]

CHAP XCVI.

An Act to extend the time for building a Bridge over the river Androscoggin, at Lewistown.

Further time
allowed.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the further time of six years, from the passing of this act, be, and hereby is granted to the proprietors of the bridge to be built at Lewistown, in the county of Lincoln, the limitation in the act granting seven years to build said bridge having expired notwithstanding.

[Approved by the Governor, February 10, 1815.]

CHAP. XCVII.

An Act in addition to an act, entitled, “An act to incorporate Ezekiel Hersey Derby and others for the purpose of building a Bridge over South River in Salem.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the town of Salem shall be, and hereby is authorized and empowered to reduce the leaves of the draw of the South Salem bridge to the length of twenty feet, within the railing, and hereafter to maintain and keep the same of such length, between twenty feet and thirty feet, as by the said town shall be deemed most expedient, any thing in the act to which this is in addition to the contrary notwithstanding.

[Approved by the Governor, February 10, 1815.]

May reduce leaves.

CHAP. XCVIII.

An Act for further regulating the Fishery in Mattepoissett River, in the town of Rochester.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That from and after the passing this act, the inhabitants of the town of Rochester, at any meeting legally warned for that purpose, may prohibit the taking any of the fish called alewives in Mattepoissett River in said town for the present year, excepting at one place therein, to be by them appointed in said meeting; and may also, by their vote, in such meeting, establish such mode of taking said fish, at such place as they shall think proper.

Town may prohibit the taking Fish.

SEC. 2. *Be it further enacted,* That the said inhabitants, at such meeting, may appoint some person or persons to take said fish in such place, for such year (not

exceeding three days in a week) for the use of said inhabitants, to be disposed of in such way and manner, as they in such meeting by vote shall agree upon.

Penalty for
not conform-
ing to rules.

SEC. 3. *Be it further enacted*, That if any person or persons who shall be so appointed, or any person who shall purchase the exclusive right, of taking said fish at any place in said river, according to the laws now in force for that purpose, shall not conform to the rules and regulations, for them respectively established by said inhabitants, such person or persons shall for each breach of such rules and regulations, forfeit and pay to said inhabitants twenty-five dollars, to be recovered in an action of debt in any Court proper to try the same.

[Approved by the Governor, February 10, 1815.]

CHAP. XCIX.

An Act in further addition to an act, entitled, "An act for incorporating James Sullivan, Esq. and others, by the name and style of the Proprietors of Middlesex Canal."

May demand
toll.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the proprietors of the Middlesex Canal be, and hereby are, authorized and empowered to demand and receive toll on boats and rafts, that shall pass Wicasee lock and canal in the town of Tyngsborough in this Commonwealth, at the following rates, viz. For every cord of pine wood eight cents, for every other kind of wood ten cents per cord, for every ton of merchandize or other loading ten cents, for other articles going down the canal, one tenth of the toll now allowed on the same articles at the Middlesex Canal.

[Approved by the Governor, February 11, 1815.]

CHAP. C.

An Act to establish The Oakham Cotton and Woollen Factory Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Luke Robinson, Asa French, jun. and Eli Fairbanks, with such others as Persons incorporated. may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Oakham Village Cotton and Woollen Factory Company, for the manufacture of cotton and woollen cloth and yarn, in the town of Oakham, in the county of Worcester; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

SEC. 2. *Be it further enacted,* That the said Corporation may lawfully hold and possess such real estate to the value of ten thousand dollars, and such personal estate, to the value of twenty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton and woollen cloth and yarn in the said town of Oakham. May hold real and personal estate.

[Approved by the Governor, February 16, 1815.]

CHAP. CI.

An Act in addition to an act, entitled "An act to incorporate the President, Directors, and Company of the Waterville Bank."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by

Act in part
repealed.

the authority of the same, That so much of an act, entitled “An act to incorporate the President, Directors, and Company of the Waterville Bank,” as regards the times at which the stockholders of said bank are required to pay in the third and fourth instalments of the capital stock thereof, be, and hereby is repealed; and that the stockholders of said bank be, and they hereby are required to pay in, the said third and fourth instalments of the capital stock of said bank at the following periods, to wit: the said third instalment on the first day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and the said fourth instalment on the first day of June next after.

[Approved by the Governor, February 16, 1815.]

CHAP. CII.

An Act in addition to an act, entitled “An act to incorporate certain persons into a Company, by the name of The South-Boston Association.”

Act continu-
ed.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That an act made and passed on the fourteenth day of June, in the year of our Lord one thousand eight hundred and five, entitled “An act to incorporate certain persons into a company, by the name of ‘The South-Boston Association,’” be, and the same is hereby continued in force until the fourteenth day of June, which will be in the year of our Lord one thousand eight hundred and twenty, any thing in the act to which this is in addition to the contrary notwithstanding.

[Approved by the Governor, February 16, 1815.]

CHAP. CIII.

An act in further addition to an act, entitled "An act authorising a Lottery, for completing the repairs of Plymouth Beach."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the managers appointed under the act, authorising a Lottery for completing the repairs of Plymouth Beach, be, and they hereby are authorised to deduct, not only the charges of stationary, printing and other expenses of drawing each class, but also like reasonable compensation for their services and expenses, as was allowed by the President and Fellows of Harvard College, to the Managers of the Lottery under their act of March 14th, 1806, from the sum raised by each class; and that the remainder be considered the "whole proceeds" mentioned in said act, any thing in the acts, to which this is an addition, to the contrary notwithstanding.

Managers
authorised to
deduct ex-
penses.

[Approved by the Governor, February 16, 1815.]

CHAP. CIV.

An Act to set off Hezekiah Corey, jun. from the town of Gardner, and annex him to the town of Ashburnham.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Hezekiah Corey, jun. of Gardner, in the county of Worcester, with his family and the lot of land containing about forty acres, lying in said town of Gardner, and on which said Corey now lives, be, and hereby are set off from said town of Gardner, and annexed to the town of Ashburnham, in said county; and the said lot of land shall hereafter

Person set
off.

Proviso.

constitute a part of said town of Ashburnham; and said Corey be liable to all the duties, and entitled to all the rights and privileges of an inhabitant of said town of Ashburnham: *Provided nevertheless*, said Corey shall be holden to pay all taxes legally assessed upon him in said town of Gardner prior to passing this act, in the same manner as though this act had not been passed: *Provided also*, That said town of Ashburnham shall not discontinue a town road laid out through said lot of land for the accommodation of a farm now in the occupation of Jonathan Bancroft, jun. but the same shall be, and remain as it is now located: *And provided further*, That all and every person who may have gained a settlement in the town of Gardner, by residing on said lot of land, and who might hereafter become poor and chargeable to said town of Gardner, shall nevertheless be taken to be the proper poor of, and be supported by the said town of Ashburnham, any law, usage, or custom, to the contrary notwithstanding.

[Approved by the Governor, February 16, 1815.]

CHAP. CV.

An Act to incorporate The Third Religious Society in Dorchester.

Parsons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Samuel Withington, Benjamin Fuller, James Tolman, Mark Hollingsworth, Dexter Tiffany, Amasa Fuller, Edmund Baker, Thomas Crehore, Euclid Tileston, Charles Park, John Bussey, Stephen Pierce, John Bussey, jun. James Pierce, Samuel H. Spurr, Henry Cox, Thomas Bussey, Caleb Jarvis, Benjamin Parsons, Isaac Sanderson, James Kelton, Isaac Cox, John Lillie, Henry Crane, Darius Brewer, David Brewer, Seth Briggs, Walter Baker, Jesse Sumner, William H. Wood, William Mellus, Joshua Pierce, Reuben Swan, Elisha Lapham,

David Johnson, Comfort Foster, Ezekiel Holden, Ezra Badlam, Edward Haynes, Lemuel Shepard, Ebenezer Stedman, Nathaniel Ferrett, William Humphry, Stillman Lincoln, William Bumstead, Henry Smith, John Paul, Henry Clark, Zenas Eaton, Samuel Withington, jun. Ebenezer Davenport, Samael B. Pierce, Thomas Munroe, Abner Stoddard, Samuel Williams, William Trescott, Peter Mayo, Sylvanus Crosby, Thomas Bell, Charles Prentiss, John Nightingale, Isaac Crane, Jesse Inglee, Oliver Warren, William E. Vincent, Luther Gay, Zachariah Cain, Ebenezer Trescott, Sewell Fessenden, Samuel Richards;—petitioners, with such other inhabitants of the towns of Dorchester and Milton, as shall desire to unite with them, be, and they hereby are incorporated into a parish, by the name of The Third Religious Society in Dorchester, with all the powers, privileges and immunities, to which the other parishes in this Commonwealth are by law entitled.

SEC. 2. *Be it further enacted*, That the polls and estates, property of the petitioners, and of all other persons who may become members of said Third Religious Society, and the property they shall respectively hold or occupy on the first day of May annually in said towns of Dorchester and Milton, shall be taxable in said Third Religious Society and in that only for parochial purposes.

Property
liable to be
taxed.

SEC. 3. *Be it further enacted*, That whenever any person being an inhabitant of said Dorchester or Milton, shall desire to become a member of said Religious Society, such membership shall be certified by a committee of said Society chosen for that purpose and filed with the clerk of the town or parish, to which he or she belongs, and the certificate of such committee may be as follows:

We certify that _____ of the town of _____ is a member of the third Religious Society in Dorchester; dated this _____ day of _____ A. D. 18 _____

Form of cer-
tificate.

} Committee.

Said certificate to be filed as aforesaid, fourteen days previous to the annual meeting of said third parish in March or April; such person or persons, paying his or her proportion of all monies voted in the Religious Society to which he or she belonged previous to his joining said third parish, shall from and after giving such certificate with his or her polls and estates, be considered as a member of said Third Religious Society.

May leave
this Society.

SEC. 4. *Be it further enacted*, That if any member of said Third Religious Society shall see cause or be inclined to leave said Society and join in worship with any other religious Society in said town of Dorchester, or in any other town of which he may be an inhabitant, shall give his or her name to the clerk of said Third Religious Society, signed by the minister or clerk of the parish, or other incorporated Society, with which he or she may unite, that he or she has actually become a member of and united in religious worship in such other parish or other incorporated religious Society, fourteen days previous to their annual meeting in March or April, and shall pay his or her proportion of all monies voted in said Society to be raised previous thereto, shall from and after giving such certificate, with his or her polls and estate, be considered as a member of the Society to which he or she may so unite.

Income to
be annually
divided.

SEC. 5. *Be it further enacted*, That the income of the ministerial land so called, which was given and set off for the use and maintenance of the ministry, and the income of all other ministerial land and property, which shall be used for the support and payment of the ministers of the gospel in the town of Dorchester, shall be annually divided between the first, second, and third religious Societies, in the same proportion that the members of each parish shall collectively bear to each other, in the state tax, which shall be assessed from time to time in the town of Dorchester, to be annually compared and ascertained by the assessors of the three parishes, and to be drawn from the town treasury accordingly.

Ministerial
taxes to be
divided.

SEC. 6. *Be it further enacted*, That all the ministerial taxes assessed and collected within the town of Dorchester on estates belonging to non-residents, shall

be divided between the first, second, and said Third Religious Society in the ratio established for the division of the income of the ministerial land and property.

SEC. 7. *Be it further enacted*, That the qualified voters as herein after specified, in said Third Religious Society be, and they hereby are authorised and empowered to grant and vote, from time to time, such sums of money as they shall judge necessary for the settlement and support of the ministry in said Society, and for all other necessary parish charges, which sums may be assessed on the pews in the meeting-house belonging to said Society, in the proportion specified in the deeds of conveyance from Edmund Baker to the original proprietors; and if any proprietor or proprietors of a pew or pews, shall neglect or refuse to pay any assessment made as aforesaid, within sixty days next after the time appointed for the payment of the same, the treasurer of said Society shall have power to sell the pew or pews of such delinquent proprietors, together with his right and interest in said house at public auction, first giving notice to the delinquent proprietors of the time and place of sale, by posting up notifications thereof at the meeting-house of said Society, fourteen days at least before the day of sale; and the said treasurer is hereby authorised to make, execute, acknowledge and deliver to the highest bidder good and sufficient deed or deeds of any pew or pews sold in manner as aforesaid; and the surplus money, (if any there shall be,) arising from such sale beyond satisfying the assessment aforesaid and intervening charges, he shall return to the delinquent proprietor or proprietors.

Empowered
ed to raise
money.

Power to sell
pews of de-
linquent pro-
prietors.

SEC. 8. *Be it further enacted*, That the proprietors or occupiers only of the pews, in the meeting-house, built by the said Third Religious Society, shall be entitled to vote in parish affairs, so that one vote may be given for each pew, any thing in this act to the contrary notwithstanding.

Proprietors
entitled to
vote.

SEC. 9. *Be it further enacted*, That any Justice of the Peace in the county of Norfolk be, and he is hereby authorised and empowered, to issue his warrant, directed to some suitable member of said Society, to notify and warn the legal voters of the said Third Religious

Justice to
issue his
warrant.

Society to meet at such time and place as shall be appointed in said warrant, to choose such officers and transact such business as parishes are by law entitled to choose and transact in the month of March or April annually.

[Approved by the Governor, February 16, 1815.]

CHAP. CVI.

An Act to regulate the Fishery in Duck trap stream, in the town of Lincolnville.

Selectmen
may lease
the fishery.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the selectmen in behalf of the town of Lincolnville, shall have power annually, at the town meeting holden in March or April, to lease the fishery in the said town, for the fishing season, to the highest bidder therefor, under such conditions, limitations, and reservations as are provided in this act. And when the said lease shall be completed and settled between the selectmen and lessee, that no person may plead ignorance thereof, the said lease shall be declared and published at the town meeting then next following, and a fair copy of the said lease shall be signed, and delivered by the town clerk to the lessee, and the same shall also be recorded in the records of the town, and the profits which may from year to year accrue from the sale or lease of the said fishery shall be appropriated by the said town, to such uses as the inhabitants, in legal town meeting, may from time to time order and direct. And the fish committee, which shall be annually appointed by the town, shall appropriate such proportions of the fish caught within the limits of the said town, as shall be annually allotted and determined by the selectmen, for the use of the poor of the said town, gratis; and this reservation and privilege of the poor, shall be inviolably preserved to them, when the said selectmen do annually sell, or lease the fishery for the season, and which shall always be a condition in the said lease.

SEC. 2. *Be it further enacted*, That it shall be the duty of the selectmen, annually, to make, or cause to be made out a list of all such poor persons, being inhabitants resident in said town, as, in their best judgment and discretion, are entitled to receive fish *gratis*, according to the privileges and benefits intended to be provided for and secured by this act, which list shall be seasonably prepared, so as to be read, and if approved and adopted, at the same annual town meeting, shall be and remain in force for the current year.

SEC. 3. *Be it further enacted*, That for the permanent and orderly regulation of the fishery, in the said town of Lincolnville, it shall be lawful for the inhabitants of said town, and they are hereby required, at their annual meeting in March or April, to appoint a committee of the freehold inhabitants thereof, not exceeding seven, nor less than three, who shall be sworn (or affirmed as the case may be) to the faithful discharge of the duties enjoined upon them by this act; and it shall be the duty of the said committee to see that the natural course of the rivers or streams, through which the fish pass up, shall be kept open and free from all obstructions, during the whole season of the passing of the fish up and down the rivers and streams in the said town; and the powers and jurisdiction of the said committee shall extend to, and over all the streams and ponds or other waters within the limits of the said town, running into, or in any way connected with, the said duck trap stream; and the said committee shall have power to remove all such obstructions as they may find therein; and the said committee or a majority of them, in the discharge of their duties, shall have power at all times to go upon, and pass over the lands of any person, through or by which the said rivers or streams run, without being considered as trespassers: and if any person hinder or molest the said committee, or either of them, in executing the duties of his or their office, or who doth obstruct any passage way in either of the rivers, or streams, or ponds, as aforesaid, contrary to the consent and directions of the said committee, or a majority of them, he or they, so offending, shall for every such offence, forfeit and pay a sum, not exceeding twenty dollars, nor less than one dollar, in the

Duty of selectmen.

Town to appoint committee.

Their duty.

Penalty.

Proviso.

discretion of the Justice before whom the action may be tried. *Provided nevertheless*, that nothing in this act shall be considered as giving the said committee any power to injure the proprietor of any lands, mills, or other waterworks, further than is necessary for a good and sufficient passage way for the fish up and down the rivers or streams as aforesaid.

Shall keep
open pas-
sage.

SEC. 4. *Be it further enacted*, That all mill owners shall be holden and required to provide, and keep open; sufficient passage or sluice ways for the fish to pass up and down said streams or ponds; and if any mill owner, or any other person, after the passing of this act, do make or cause to be made, or placed in either of the streams or ponds, within the said town of Lincolnvillle, any mill dam, weare, or other incumbrance, or obstruction to the passage of the said fish, or in, or across, or upon any stream, pond, or other water, running into or connected with the said duck trap stream, such mill owner or other person shall forfeit and pay a sum not exceeding two hundred dollars, nor less than twenty dollars.

Penalty for
taking fish
contrary to
law.

SEC. 5. *Be it further enacted*, That if the purchaser, lessee, or manager of the said fishery, or those employed by him, or them, shall presume to take any fish, from any of the waters aforesaid, at any other time or places, within the limits of said town, than may be appointed by the said selectmen, and if any other persons do presume to take any fish, in any of the streams or ponds, within the limits aforesaid, without permission from the selectmen, every such person, so offending, shall for each and every offence herein, forfeit and pay a sum not exceeding twenty dollars, nor less than one dollar, according to the discretion of the Justice before whom the cause may be tried. And it shall be the duty of the fish committee, appointed by said town, to sue and prosecute all breaches of this act, and for any one of the said committee to seize and detain in their custody any net, or other instrument used in taking fish, which may be found in the hands or possession of any person using the same, contrary to the true intent and meaning of this act, until the person so offending doth make satisfaction for his offence, or is legally acquitted thereof; and also to seize, for the use of the poor of the said town, all such fish as may have been illegally taken contrary to this act.

SEC. 6. *Be it further enacted*, That all fines, forfeitures, or penalties which may be incurred by any breach of this act, shall be recoverable by action on the case, or by an action of debt, in the name of the inhabitants of the town of Lincolnville, and appropriated to the use of said town. Fines, &c:
recoverable.

SEC. 7. *Be it further enacted*, That an act passed the first day of March, in the year of our Lord one thousand seven hundred and ninety-eight, entitled "An act for the preservation of the fish called salmon, shad, and alewives, in the rivers, streams, and waters within the counties of Lincoln and Cumberland, and for repealing all other laws heretofore made for that purpose," so far as respects their operation in the said counties, be, and the said act is hereby extended to operate and have effect in the streams and waters within the said town of Lincolnville, and all the provisions and restrictions in the said act, so far as they are applicable to the uses and intent of this act, shall be used and exercised, and the benefits thereof enjoyed by the said town of Lincolnville, as fully and completely, as if the said town of Lincolnville had been originally within the purview of the aforesaid act. Act to have
effect.

[Approved by the Governor, February 16, 1815.]

CHAP. CVII.

An Act to incorporate the second parish in the town of Lynn into a separate town by the name of Saugus.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That all that part of the town of Lynn, in the county of Essex, lying and being situate within the boundaries of the second parish in Lynn aforesaid, together with the inhabitants thereon, be, and the same is hereby incorporated into a separate town, by the name of Saugus, viz. beginning at Bride's brook, so called, and running as the said brook runs till it meets the river that runs between Chelsea and Lynn, and then Town incor-
porated.

Boundaries.

by the said river until it meets Pines river, and then by said Pines river until it meets Saugus river, and then along Saugus river, by the middle of the said river to the great bridge, so called, then running from the said bridge a straight line to the easterly end of the farm now owned by William Sweetser and Ephraim Sweetser, formerly belonging to John Hawk's successors, and then turning and running to the line of Lynnfield to the northern side of land now belonging to John Reading, formerly of Isaac Larrabee, thence running by the line of Lynnfield until it meets the line of the town of South Reading, thence running by the line between South Reading and Lynn until it comes to the three county mark, so called, thence running on the line between Chelsea and Lynn, until it comes to Bride's brook, the place first set out from.

Possession
of property
allowed.

SEC. 2. *Be it further enacted,* That the said town of Saugus shall be entitled to hold such proportion of all the real and personal estate now belonging to and owned in common by the inhabitants of the town of Lynn as the property of the inhabitants of the said town of Saugus now bears to the property of all the inhabitants of the present town of Lynn, according to the latest valuation thereof, excepting always all rights of common landing places, uses and privileges heretofore possessed by the inhabitants of the said town of Lynn, all which shall be held and enjoyed by the towns respectively within whose limits the same may be, except the privileges on pine beach, which shall hereafter be enjoyed by the inhabitants of the said town of Lynn and the said town of Saugus in common.

Shall pay
debts, &c.

SEC. 3. *Be it further enacted,* That the said town of Saugus shall be holden to pay their proportion to be ascertained as aforesaid of all debts and claims now due and owing from the said town of Lynn, or which may hereafter be found due and owing, by reason of any contract, engagement, judgment of court, or any matter or thing now or heretofore entered into or existing; and shall be entitled to receive their proportion, to be ascertained as aforesaid, of all the debts, taxes and monies now due to the said town of Lynn.

SEC. 4. *Be it further enacted*, That the said town of Saugus shall be holden to support their proportion of the present poor of the said town of Lynn, which proportion shall be ascertained as aforesaid; and all persons, who shall or may hereafter become chargeable as paupers, shall be considered as belonging to that town, on whose territory they may have gained a legal settlement, and shall be supported by that town only. To support poor.

SEC. 5. *Be it further enacted*, That nothing in this act shall be so construed as to alter or affect in any way parish privileges, or the right or manner of assessing and collecting parish taxes within or for either the said town of Lynn or the said town of Saugus, which said rights and privileges shall hereafter be held and enjoyed in the same manner, as if this act had not been made.

SEC. 6. *Be it further enacted*, That there shall be and hereby is reserved to the town of Lynn the right to tax those inhabitants of the said town who now own salt marsh on the southerly and easterly side of the Salem turnpike road, but within the limits of the said town of Saugus, so long as the same shall continue to be owned by the inhabitants of the said town of Lynn, or the heirs of the said inhabitants who now own the same. Right to tax inhabitants.

SEC. 7. *Be it further enacted*, That the rights and privileges of the alewife fishery shall be held and enjoyed hereafter by the towns respectively within whose limits the streams may run, in the same manner as is now provided by law for the town of Lynn. Privileges of fishery held.

SEC. 8. *Be it further enacted*, That either of the Justices of the Peace for the county of Essex is hereby authorised to issue a warrant, directed to some inhabitant of the said town of Saugus, requiring him to notify and warn the inhabitants thereof, to meet at such convenient time and place, as shall be expressed in said warrant, for the choice of all such officers, as towns are by law required to choose, in the months of March or April annually. Justice to issue warrant.

[Approved by the Governor, February 17, 1815.]

CHAP. CVIII.

An Act incorporating The Stockbridge Cotton and Woollen Manufacturing Company.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Elijah Brown, jun. John Hunt, Erastus Williams, and Luther Plumb, together with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Stockbridge Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth in the town of Stockbridge, in the county of Berkshire; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act defining the general powers and duties of manufacturing corporations, passed on the third day of March in the year of our Lord one thousand eight hundred and nine.

May hold re-
al and perso-
nal estate.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not exceeding the value of fifty thousand dollars, and personal estate, not exceeding the value of eighty thousand dollars, as may be necessary and convenient for the purposes aforesaid.

[Approved by the Governor, February 18, 1815.]

CHAP. CIX.

An Act to incorporate The Rock-bottom Cotton and Wool Factory.

Persons in-
corporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Joel Cranston and Silas Jewell, with such other persons as already have or hereafter

may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Rock-bottom Cotton and Wool Factory, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Stow, in the county of Middlesex; and for such purposes shall have all the powers and privileges, and be subject to all the duties and requirements, contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding twenty thousand dollars, and such personal estate, not exceeding thirty thousand dollars, as may be necessary for the purposes aforesaid.

May hold
real and per-
sonal estate.

[Approved by the Governor, February 18, 1815.]

CHAP. CX.

An Act to incorporate The Farmers Manufacturing Company, in Lenox.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Isaac Ellis, Levi Belden, and Charles Mattoon, together with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Farmers Manufacturing Company, for the purpose of manufacturing woollen cloth in the town of Lenox, in the county of Berkshire; and for that purpose, shall have all the powers and privileges, and shall also be subject to all the duties and restrictions prescribed and contained in an act, entitled "An act defining the general powers and duties of manufacturing corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said Corporation, in their corporate capacity, may lawfully hold

and possess real estate, not exceeding the value of ten thousand dollars, and personal estate, not exceeding twenty thousand dollars, for the purposes aforesaid.

[Approved by the Governor, February 18, 1815.]

CHAP. CXI.

An Act in addition to an act, entitled “An act to divide the Commonwealth into districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the town of South-Reading, in the county of Middlesex, belonging to the North Essex District, be, and hereby is set off from the said North Essex District, and annexed to the Middlesex District; and that the town of Dracut, in the county of Middlesex, belonging to the Middlesex District, be, and hereby is set off from the said Middlesex District, and annexed to the North Essex District, any thing in the act, entitled “An act to divide the Commonwealth into Districts for the choice of Representatives in the Congress of the United States, and prescribing the mode of election,” to the contrary notwithstanding.

[Approved by the Governor, February 18, 1815.]

Towns set
off.

CHAP. CXII.

An Act to annex John Gilbreath and others, to the town of Vienna.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That John Gilbreath, Samuel Webber, James Webber, John Allen, Thomas Dolloff, Moses Gilman, Samuel Gilman, Clark Whittier, Peter

Persons an-
nexed.

Beede, James Wells, jun. Nathaniel Healy, Matthias Lane, and Moses Allen; together with their families and estates, including the following lots of land in the town of Rome, viz. number one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen, agreeably to Downing's survey of the same, be, and they hereby are set off from the town of Rome, and annexed to the town of Vienna: *Provided nevertheless*, That ^{Proviso.} the above named persons shall be holden to pay their proportionable part of all taxes which are assessed or agreed upon to be assessed on the said town of Rome, and also their proportionable part of all the expenses of the said town of Rome, which have occurred by reason of their troops being called into the service of the state, by division orders of the eleventh day of September last, except such part thereof as shall be reimbursed by this Commonwealth, in like manner as though this act had not been passed.

SEC. 2. *Be it further enacted*, That in all state taxes, which shall hereafter be granted, until a new valuation shall be settled, three cents shall be taken ^{Deduction to be made.} from the sum, which the said town of Rome now pays on one thousand dollars, in the present valuation, and added to the town of Vienna.

[Approved by the Governor, February 18, 1815.]

CHAP. CXIII.

An Act in addition to an act, entitled "An act for regulating, governing and training the militia of this Commonwealth."

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That in all cases where any officer of the militia of this Commonwealth has accepted or shall hereafter accept an appointment in the army of the United States, such acceptance shall be considered as having vacated his office in the militia, and the same ^{Vacation of office.}

shall be filled as soon as may be, in the mode prescribed by law for filling vacancies.

SEC. 2. *Be it further enacted,* That if any person, who has vacated or shall hereafter vacate his office in the militia, by accepting an appointment in the army of the United States, shall exercise any of the powers or authorities of the office so by him vacated, he shall forfeit and pay a sum not exceeding three hundred dollars, to the use of the Commonwealth, to be recovered by indictment in any court proper to try the same.

[Approved by the Governor, February 18, 1815.]

CHAP. CXIV.

An Act to incorporate The Steep Brook Cotton and Woollen Manufacturing Company.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That Elijah Crane, Isaac Thayer, David Wild, and Bethuel Drake, with such others as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Steep Brook Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth, in the town of Canton, in the county of Norfolk; and for that purpose shall have all the powers and privileges, and be subject to all the duties, requirements, and liabilities, contained in an act, entitled "An act defining the general powers and duties of manufacturing corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted,* That the said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding fifty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton and woollen yarn and cloth in said town of Canton.

May hold
real and per-
sonal estate.

[Approved by the Governor, February 18, 1815.]

CHAP. CXV.

An Act to incorporate The Berkshire Medical Botanical Society.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Simeon Brown, Joshua Whitney, Jonathan Allen 2d, John Dickinson, Stephen Mead, Amasa Foard, Jesse Torrey, jun. Lyman Peabody, Charles Foard, James Brown, and Eli Maynard, together with such other persons as may hereafter associate with them, and their successors and assigns, be, and they are hereby incorporated into a society, by the name of The Berkshire Medical Botanical Society; and by that name may sue and be sued to final judgment and execution; may have a common seal, which they may alter at pleasure; and may do and suffer all such matters, acts and things, which bodies politic may and ought to do and suffer. Persons in
incorporated.

SEC. 2. *Be it further enacted*, That the said society shall be, and are hereby empowered, to purchase and hold any real estate, to the value of five thousand dollars, and personal estate to the like amount, both of which to be appropriated exclusively for the promotion of medical and botanical sciences. May hold
real and per-
sonal estate.

SEC. 3. *Be it further enacted*, That the said society may choose a President, Treasurer, and Secretary, and such other officers as they shall see fit; and may make and establish such rules and regulations as to them shall appear necessary; *provided* the same be not repugnant to the laws or constitution of this Commonwealth. Choice of
officers.

SEC. 4. *Be it further enacted*, That any three of the above named persons may appoint the time and place of the first meeting of said society, by inserting an advertisement in one of the newspapers printed in the county of Berkshire, three weeks successively previous to the time of meeting; at which meeting the said society may choose the officers aforesaid, appoint the time and place of their annual and other meetings, and adopt such rules and regulations, as are provided for in this act. May call a
meeting.

[Approved by the Governor, February 18, 1815.]

CHAP. CXVI.

An Act to annex Benjamin Corson and others to the town of Waterville.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Benjamin Corson, Robert Hussey, Jonathan Nelson, Samuel Wade, Henry Richardson, 3d. Ebenezer Holmes, Thomas Gleason, Thomas Magrath, Spenser Thayer, Alvin Thayer, Abner Young, and Asa Young, with their families and estates, as contained within the following described lines, be, and they are hereby set off from the town of Dearborn, and annexed to the town of Waterville: Beginning at the southwest corner of said Waterville, from thence to run a west northwest course, in the southerly line of said Dearborn, till it meets the pond formerly called Richardson's mill pond, which is connected with Magrath's pond by a streight, called the narrows, from thence northerly by the easterly shore of said ponds, till it meets a bog near the head of said Magrath's pond, thence northeasterly, by the easterly edge of said bog, till it meets the southerly line of land now owned and occupied by John Magrath, from thence east southeast, in the south line of the said Magrath's lot, to the west line of said Waterville, from thence southerly, in the said west line of Waterville, to the bounds first mentioned. And the said lands with the inhabitants thereon, shall hereafter be held and considered a part of the said town of Waterville as fully and completely as though it had been originally incorporated therewith: *Provided however*, that the several persons herein named with their estates shall be holden to pay their respective taxes due, and payable to the said town of Dearborn, legally assessed, and not paid prior to the passing of this act.

[Approved by the Governor, February 20, 1815.]

Persons set
off.

Proviso.

CHAP. CXVII.

An Act to annex George Williams and Apollos Padel-
ford, to the Taunton and Middleborough Precinct
Parish.

BE it enacted by the Senate and House of
Representatives in General Court assembled, and by the
authority of the same, That George Williams, his family,
polls and estate, lying in the town of Taunton, in the first
parish in said town, and Apollos Padelford, his poll and
estate, lying also in said Taunton, and in said first parish
in said town, be, and they hereby are set off from the
said first parish, incorporated and known by the name
of the first congregational society in the town of Taun-
ton, and annexed to the Taunton and Middleborough
precinct parish, lying partly in said town of Taunton,
and partly in the town of Middleborough, and shall for-
ever hereafter be considered as belonging thereto, enjoy-
ing all parish privileges, and to pay parish charges which
may arise within the same: *Provided nevertheless*, that Persons set
off.
they be holden to pay all such taxes as may be now due
from them or their estates, to the said first parish, in the
same manner as though this act had not passed. Proviso.

[Approved by the Governor, February 20, 1815.]

CHAP. CXVIII.

An Act to incorporate The Lisbon Manufacturing Com-
pany.

SEC. 1. **BE** it enacted by the Senate and House of
Representatives in General Court assembled, and by the
authority of the same, That John Mayall, and Samuel
Mayall, together with such other persons as have or may
hereafter associate with them, their successors and as-
signs, be, and they hereby are made a corporation, by
the name of The Lisbon Manufacturing Company, for Persons in-
corporated.

the purpose of manufacturing cotton and woollen yarn and cloth, at Lisbon, in the county of Lincoln; and for this purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled, "An act defining the general powers and duties of Manufacturing Corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient, for establishing and carrying on the manufacture of cotton and woollen yarn and cloth, at Lisbon aforesaid.

[Approved by the Governor, February 20, 1815.]

May hold
real and per-
sonal estate.

CHAP. CXIX.

An Act incorporating The Brimfield Cotton and Woollen Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Israel Elliot Trask, Elias Carter, Peleg C. Janes, Augustus Janes, and Elijah Abbot, with such others as have associated, or may hereafter associate with them, and their successors, be, and they are hereby made a corporation, by the name of The Brimfield Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen cloth and yarn in said town; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That said corporation may lawfully hold and possess such real estate, not ex-

ceeding the value of fifty thousand dollars, and personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for carrying on the manufactory aforesaid in said town of Brimfield.

May hold
real and per-
sonal estate.

[Approved by the Governor, February 20, 1815.]

CHAP. CXX.

An Act for repealing in part an act, entitled, "An act for erecting that tract of land in the county of Berkshire, called New Ashford, into a District, by the name of New Ashford."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That so much of an act passed the twenty-sixth day of February, in the year of our Lord one thousand seven hundred and eighty-one, entitled, "An act for erecting that tract of land lying in the county of Berkshire, called New Ashford, into a district, by the name of New Ashford," as grants to said district liberty to join with Lanesborough for the purpose of sending a representative to the General Assembly, be, and the same is hereby repealed.

Act in part
repealed.

[Approved by the Governor, February 20, 1815.]

CHAP. CXXI.

An Act to incorporate The Sacarappa Grammar School Association, in the town of Westbrook.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Reverend Caleb Bradley, Archelaus Lewis, Esq. Joshua Webb, Nathaniel Patridge, and William Valentine and their successors in office, be, and they are hereby constituted a Board of

Persons in-
corporated.

Power.

Trustees, by the name and style of The Sacarappa Grammar School Association; and the said Board of Trustees and their successors in office, shall have power from time to time, to manage and superintend the bequest of two thousand dollars, made by Peter Thatcher, Esq. late of Gorham, in the county of Cumberland, by his last will and testament, for the purpose of promoting the instruction of youth at Sacarappa, in the town of Falmouth, (now Westbrook) in the county of Cumberland, agreeably to the provisions of the said will; to fill up all vacancies that may happen in the said Board of Trustees, by death, resignation, or otherwise, which Board shall never consist of more than five persons, any three of whom shall constitute a quorum for doing business.

Instruction
of scholars.

SEC. 2. *Be it further enacted*, That in conformity to the provisions of the said will, the scholars to be instructed in the said school, shall exclusively consist of children of the age, of from twelve to sixteen years; and who shall live within one mile of Sacarappa bridge, so called, within said town of Westbrook, excepting the children of the Trustees for the time being, who shall be at all times entitled to the privilege of the same, although they may live at a greater distance.

Justice may
call the first
meeting.

SEC. 3. *Be it further enacted*, That any Justice of the Peace within the county of Cumberland, upon application made to him by any three of the said Trustees, is hereby authorized, to fix the time and place, for holding the first meeting of the said Trustees, and notify them thereof accordingly; at which meeting, the said Trustees may determine the manner of calling future meetings, and make and establish such rules, orders and regulations, from time to time, as they may find necessary and proper, to carry into full and complete effect the provisions of said will.

[Approved by the Governor, February 20, 1815.]

CHAP. CXXII.

An Act in addition to an act, for regulating the proprietors of certain meadows and flat ground in Hingham.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the proprietors of certain flats in the town of Cohasset, formerly called Hingham, at a place called Little Harbour in said town, shall have and enjoy all the powers and privileges granted to the proprietors of the meadows and flat ground within the cove called the little harbour in the township of Hingham, in the county of Suffolk, by an act passed in the year of our Lord one thousand seven hundred and fifty-eight, and by an act passed in addition to said act, on the eighteenth day of February, in the year of our Lord one thousand eight hundred and five.

Rights and
privileges.

SEC. 2. *Be it further enacted,* That all such contracts as have been already entered into by the proprietors of said meadows with the proprietors of said flats, are hereby established and rendered valid to all intents and purposes.

Contracts
made valid.

SEC. 3. *Be it further enacted,* That the proprietors of said flats may cause to be sold at public vendue, the share of any proprietor, who shall neglect to pay any assessment duly voted and agreed upon by said proprietors, to their Treasurer, within sixty days after the time set for the payment thereof, they giving thirty days notice of the time, place, and cause of the sale, by posting up a notification, in some public place, in the several towns of Cohasset, Hingham, and Scituate; and it shall be the duty of said proprietors to pay over to said delinquent on demand, the surplus, if any, after satisfying said assessment and incidental expenses attending said sale.

Power to sell
shares of de-
linquent pro-
prietors.

SEC. 4. *Be it further enacted,* That the proprietors of said flats shall have the power to use, regulate and control the beach below the dam, through which the water runs into the sea.

Proprietors^a
power.

[Approved by the Governor, February 25, 1815.]

CHAP. CXXIII.

An Act to empower the Union Marine and Fire Insurance Company in Newburyport to sell their real estate, and for other purposes.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Union Marine and Fire Insurance Company in Newburyport be, and they hereby are authorized and empowered, at such time as may be deemed most expedient, to sell and dispose of their estate both real and personal.*

May sell real
and personal
estate.

SEC. 2. *Be it further enacted, That John Balch, Nicholas Johnson, jun. and Jacob Gerrish, or any two of them, be, and they are hereby authorized, to make and execute to the purchaser or purchasers of the real estate aforesaid, or any part thereof, good and sufficient deed or deeds of conveyance, which being acknowledged before a Justice of the Peace, and recorded in the Registry of deeds for the county of Essex, shall be good and sufficient to pass, to the purchaser or purchasers and their heirs and assigns forever, all the right, title, interest, and estate, which said Company have in and to the same.*

Authorized
to make
deeds.

SEC. 3. *Be it further enacted, That said Union Marine and Fire Insurance Company, at any meeting duly called therefor, may appoint a committee to collect the debts due to, and settle all demands against said Corporation, with the same powers therefor, as the president, and directors of said Company now have; and it shall be the duty of the committee so chosen, to determine on the time and place of sale of their real estate, and to apportion the residue of their funds among the stockholders of the capital stock of said Company, according to the number of shares by them respectively holden; and to adopt all proper measures for bringing the concerns of said company to a close.*

May appoint
Committee.

And whereas said Company have divers claims and demands, which cannot be immediately settled: Therefore,

SEC. 4. *Be it further enacted*, That nothing in this act contained, shall preclude said Company from having and maintaining, at any time hereafter, in their corporate name, any suit or suits at law for the recovery of all debts or demands due or belonging to them, or from prosecuting to final judgment and execution, any suit or suits now pending: *Provided*, the stockholders be jointly and severally, as well as in their corporate capacity, liable for all outstanding debts and claims existing against said Company, at the time said stockholders shall make such apportionment and distribution of their funds as authorized by this act.

Debts and demands.

Provisor

[Approved by the Governor, February 25, 1815.]

CHAP. CXXIV.

An Act in addition to an act, entitled "An act to incorporate the President, Directors, and Company of the Hampshire Bank."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That so much of an act, entitled "An act to incorporate the President, Directors, and Company of the Hampshire Bank," as regards the time at which the stockholders of said Bank are required to pay in their fourth instalment of the capital stock thereof, be, and hereby is repealed: and that the stockholders of said bank be, and they hereby are required to pay in their said fourth instalment of the capital stock of said bank, on the first day of March, in the year of our Lord one thousand eight hundred and sixteen.

Further time given.

[Approved by the Governor, February 25, 1815.]

CHAP. CXXV.

An Act in addition to an act, entitled "An act to incorporate the President, Directors, and Company of the Kennebunk Bank."

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the third and fourth instalments of the capital stock of the Kennebunk Bank, which by the act, entitled "An act to incorporate the President, Directors, and Company of the Kennebunk Bank," are required to be paid in on the first day of April next, and on the first day of October next, shall be paid in at the following times, viz: the third instalment, on the first day of April, in the year of our Lord one thousand eight hundred and sixteen, and the fourth on the first day of the October then next following, or at such earlier time as the stockholders, at any meeting thereof may order, any thing in the act, to which this is in addition, to the contrary notwithstanding.

[Approved by the Governor, February 25, 1815.]

CHAP. CXXVI.

An Act to incorporate the proprietors of the Meguntekook Meeting-House, in the town of Camden.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That all persons who now are, or may hereafter be the proprietors of pews in the Congregational Meeting-House, in that part of the town of Camden, known by the name of Meguntekook, be, and they are hereby declared and confirmed to be a body politic and corporate, by the name of The Proprietors of the Meguntekook Meeting-House; and by that name may sue and be sued, defend and be de-

Further
time given

Proprietors
declared.

tended, and plead the general issue, in all causes in which, as a corporation, they may be interested.

SEC. 2. *Be it further enacted,* That the proprietors of the said Meguntekook Meeting-House shall have power to choose and appoint, from their own number, three discreet persons for a committee, to manage the prudential affairs of said corporation, as also a clerk, collector and treasurer, and such other officers as they may judge necessary and expedient, and to vacate their places, and fill up such vacancies as occasion may require; and also to raise money to fulfil existing contracts on account of said Meeting-House, and for finishing; maintaining, and keeping in repair the said Meeting-House and other incidental expenses as may be determined by a vote of the said corporation; and all monies which may be voted to be raised as aforesaid, shall be assessed by said committee on the pews of proprietors in the said Meeting-House, according to the relative value of each of said pews; and if any proprietor in said Meeting House do refuse or neglect, for the space of ninety days, to pay the sum which may be assessed on him to pay, on the pew or pews he may own in the said Meeting House, the said pew or pews may be sold by the collector at public vendue, and the money arising by the said sale, shall be applied to the payment of the sum or sums assessed as aforesaid, and the remainder (if any there be) shall be returned to the said delinquent proprietor: *Provided always,* That the said collector shall give previous notice of such sale, twenty days at least, by posting up advertisements thereof at said Meeting-House, and at two other places of public resort in the said town of Camden, expressing the time and place and cause of said sale.

SEC. 3. *Be it further enacted,* That the said corporation shall have power to assess as aforesaid upon the owners of pews in said Meguntekook Meeting-House, such sum or sums of money, as they owe in their corporate capacity for the building or repairing said Meeting House, and for all other incidental expenses, with such additional sum or sums on any individual owner, or owners of any pew or pews, as he or she may be delinquent in the payment of any instalment or assess-

ment of money, assessed upon his or her pew or pews; and in default of payment, the collector of the said corporation shall proceed as is directed in the second section of this act, to sell the pew or pews of such delinquent owner or owners, first giving the same notice as therein directed, and restoring the balance, if any remain, to the said delinquent owner.

Justice to is. sue warrant. SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Lincoln is hereby empowered, upon application therefor, to issue a warrant, directed to a freeholder and member of the said parish or society, requiring him to notify and warn the qualified voters thereof, to meet at such convenient time and place, as shall be appointed in the said warrant, for the first meeting, and to organize the said corporation, by the election of its officers.

[Approved by the Governor, February 25, 1815.]

CHAP. CXXVII.

An Act in addition to an act, entitled "An act empowering the town of Pembroke to regulate and order the taking and disposing of the fish called Alewives, within the limits of the said town."

Time appointed to catch fish. SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That no person or persons shall set, draw, or cast any seine, drag or set net, of any dimensions whatever, in the North River so called, in the county of Plymouth, except from the sun's rising to the sun's setting of the Mondays, Wednesdays, and Fridays of each week; and that no person or persons shall, on said days, by boats, seines, drag nets, or by any other mode, in the North River, drive any fish into any seine, set net, or other receptacle, by which fish may be taken; and all seines, drag or set nets, cast into said river on the days mentioned in this act, shall be restricted from sweeping in said river, further than can be done by confining one end of said seine to the bank

of the river aforesaid; and no seine, drag or set net shall be set, drawn, or cast into said river, above what is commonly called and known by the name of the Third Herring Brook, or Smelt Brook; and no seine used in said river shall exceed the width of the river where it is used, on the penalty of fifty dollars for each and every offence, to be recovered and appropriated in the manner provided for in the act, to which this is in addition.

SEC. 2. *Be it further enacted*, That the act supplementary to an act, regulating the taking and disposing of the fish called alewives in the town of Pembroke, passed June the twenty-fifth, one thousand eight hundred and eleven, and the ninth section of an act, entitled "An act empowering the town of Pembroke to regulate and order the taking and disposing of the fish called alewives within the limits of the said town," be, and the same are hereby repealed. Acts repealed.

[Approved by the Governor, February 25, 1815.]

CHAP. CXXVIII.

An Act for regulating the Fishery in the towns of Salem and Danvers.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That all the provisions for the preservation of the fish called shad, and for regulating the taking the same, contained in an act, entitled "An act for the preservation of the fish called alewives, in their passage up the rivers and streams leading through the towns of Salem and Danvers, in the county of Essex, and for regulating the taking said fish in said streams, and for repealing all laws heretofore passed for regulating the fishery in said streams and rivers," shall be, and hereby are extended to the fish called shad; and the fish committees of the said towns of Danvers and Salem shall hereafter have the same powers, authority and privileges, and be subject to the same duties for Law extended.

the preservation and taking shad, as they now have, and are subject to for the preservation and taking of alewives.

Empowered
to make a
sluice way.

Forfeiture.

Proviso.

SEC. 2. *Be it further enacted,* That the said fish committees or either of them shall be, and they hereby are authorized and empowered to make and open a sluice-way in the brook running from spring pond, so called, and to keep and maintain the same open, and without obstruction, and to shut and close the same up, as they may think expedient, and also to open and clear the passage ways and streams, leading from the said pond, for the purpose of enabling young fish to pass down from the said pond, from the tenth day of April to the last day of November, in every year; and for this purpose the said committees or either of them, or any member thereof, shall have authority to go on the land of any person, through which the said streams run, or on which such land may be bounded, without being considered as trespassers; and any person who shall molest or hinder the said committees or either of the members thereof, in the execution of this part of their office, or shall obstruct the said sluice-way or passages, otherwise than may be allowed by said committee or committees, he or she shall forfeit and pay a sum, not exceeding fifty dollars, nor less than five dollars, to be recovered and appropriated in the same manner as forfeitures and penalties for the breach of the act, entitled "An act for the preservation of the fish called alewives, in their passage up the rivers and streams leading through the towns of Salem and Danvers, in the county of Essex, and for regulating the taking said fish in said streams, and for repealing all laws heretofore passed for regulating the fishery in said streams and rivers," are recovered and appropriated: *Provided,* That this act shall not give the said committees, or either of them, any new powers and privileges concerning the mills, or the sluice or passage ways at the mills on said streams, after the first day of June in each year.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXIX.

An Act for the preservation of Fish, in Union river and bay, and in the waters emptying into the same.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person shall make or continue any dam or other obstruction in, or across Union river, in the county of Hancock, or any stream or pond emptying into the same, or into any part of Union river bay, northerly of the southern extremes of Newbury neck and Oak point, through or into which salmon, shad, or alewives, have ever been accustomed to pass, for the purpose of casting their spawn, without providing and keeping constantly open and clear, a sufficient passage or sluice way, for such salmon, shad or alewives to pass and repass, from the tenth day of May to the last day of June annually, every such person shall forfeit and pay a fine not exceeding two hundred dollars, nor less than fifty dollars; and any person who shall at any time take any of the said fish within forty feet of any such dam, or other obstruction, passage or sluice way, shall forfeit and pay a fine of five dollars, for each and every such offence.

shall keep
open pass-
sage.

SEC. 2. *Be it further enacted,* That any person who shall take any salmon, shad, or alewives, in any of the waters aforesaid, between the twentieth day of May and the first day of July annually, at any other time or times than between sun rise on Monday and sun rise on Thursday, in each week, shall forfeit and pay for each salmon two dollars, for each shad one dollar, and for each alewife twenty cents, so taken; and any person who shall use any net, seine, or other machine, for the purpose of taking any of said fish, by drifting in any of said waters, shall for every such offence forfeit and pay a fine not exceeding thirty dollars, nor less than fifteen dollars; and any person who shall at any time, during three years next succeeding the time when this act shall go into operation, take any salmon, shad or alewives in any of the waters aforesaid, such person shall forfeit and pay, for each

Penalty for
taking fish
contrary to
law.

salmon, shad, or alewife so taken, the same fines as are above specified.

SEC. 3. *Be it further enacted,* That all the provisions of an act, entitled "An act for the preservation of fish in Penobscot river, and the several streams emptying into the same," passed on the twenty-second day of February, in the year of our Lord one thousand eight hundred and fourteen, so far as the same be not inconsistent with, and repugnant to the provisions of this act, be, and they are hereby extended to Union river and bay, and the streams and ponds emptying into the same, and to all the towns and plantations adjoining thereto, and to all persons having concern herewith, as fully and extensively as they are intended to operate for the preservation of fish in Penobscot river, and the streams and ponds emptying into the same.

Provisions of
act extended

SEC 4. *Be it further enacted,* That this act shall be in force from and after the first day of April next, and that all laws heretofore made for the purposes aforesaid be, and the same are hereby repealed: *Provided nevertheless,* that all offences committed against any law which may be hereby repealed, and all prosecutions and processes now pending thereon, shall be prosecuted and proceeded in, to final judgment and execution, as if this act had never been made.

Act, when in
force.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXX.

An Act respecting the Court of Sessions in the county of Berkshire.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That it shall be the duty of the Session Justices of the Circuit Court of Common Pleas in the county of Berkshire, to attend at the next term of the Circuit Court of Common Pleas, to be holden in said county, on the second Monday of April next; and the Justices of said Circuit Court of Common Pleas, when

Duty of ses-
sion justices.

said session Justices are associated with them, shall have cognizance and jurisdiction of the same matters and things as they now have by the fourth section of an act, entitled "An act to transfer the powers and duties of the Court of Sessions to the Circuit Court of Common Pleas, and for other purposes."

SEC. 2. *Be it further enacted*, That all petitions, recognizances, warrants, orders, certificates, and processes made to, pending in, taken for, or continued in, or returnable to the next term of said court in said county, of which said Circuit Court of Common Pleas, when said session Justices are associated with them, have cognizance and jurisdiction, shall be continued to, have day, proceeded in, and determined at the next term of said court to be holden in said county, on the second Monday of April next.

Petitions &c.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXI.

An Act to establish The Westport Cotton Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Daniel Hale, Joseph Gray, John Mason, and Hanan Wilbourn, together with such others as may hereafter associate with them, and their successors or assigns, be, and they are hereby made a corporation, by the name of The Westport Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Westport; and for this purpose, shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of Manufacturing Corporations."

Persons incorporated.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not

May hold
real and per-
sonal estate

exceeding the value of fifty thousand dollars, and such personal estate, not exceeding the value of one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufacture of cotton aforesaid.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXII.

An Act to alter the time of holding the Circuit Court of Common Pleas, within and for the county of Somerset.

Holding of
court.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Circuit Court of Common Pleas, now appointed by law to be holden at Norridgewock, within and for the county of Somerset, on the fourth Tuesday of June annually, shall, from and after the passing of this act, be holden at Norridgewock, within and for the said county of Somerset, on the Tuesday next preceding the second Monday of August annually.

SEC. 2. *Be it further enacted*, That all recognizances, warrants, complaints, and every process, precept, matter and thing, returnable to said court on the fourth Tuesday of June next, and all parties and persons that have been, or may be required or directed to appear and attend, at the time and place first above mentioned, shall be returned to, entered, appear, and attend, have day, be heard, tried, and determined at the term thereof appointed by this act, to be holden on the Tuesday next preceding the second Monday of August next.

Former acts
repealed.

SEC. 3. *Be it further enacted*, That the day on which said court is to be holden as aforesaid may, in all judicial proceedings, be expressed and designated by such Tuesday of the month, as will be the day on which such court is to be holden, pursuant to this act. And all acts and parts of acts, so far as the same are inconsistent with the provisions of this act, shall be, and the same are hereby, repealed.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXIII.

An Act to regulate the Fisheries in the town of Yarmouth.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the town of Yarmouth shall be, and hereby are empowered and directed at their meeting for the choice of town officers in March or April annually, to choose three or more persons, being freeholders in the said town, to see that this act be duly observed; and each person, so chosen, shall be sworn faithfully to discharge the duties required of him by this act; and the said committee shall meet together annually, on or before the twentieth day of April, and such time and place as they, or a majority of them, shall appoint; and the major part of the committee present at such meeting, are hereby authorized and empowered to order the times, places and manner, in which it may be lawful to take any of the fish called herring, alewives, perch, and eels, in said town; and the said committee, or a majority of them, are hereby fully authorized and empowered to cause the natural course of the streams through which the said fish pass, to be kept open and without obstruction, to remove such as may be found therein, and to make the said passage-ways wider or deeper, if they shall judge it necessary; and said committee or either of them, paying a reasonable consideration therefor, if demanded, shall have authority, for those purposes, to go on the land or meadow of any person, through which said streams run, without being considered as trespassers; and any person who shall molest or hinder the said committee, or either of them, in the execution of the business of his or their office, or shall obstruct any passage-way in the rivers, streams, coves, or ponds in said town, otherwise than may be allowed by the said committee, he or they shall forfeit and pay a fine for every such offence, not exceeding ten dollars, nor less than three dollars.

Empowered
to choose
officers.

Streams to
be kept open

Forfeiture.

May open
dams.

Proviso.

Penalty.

Penalty for
taking fish
contrary to
law.

SEC. 2. *Be it further enacted*, That the said committee, or the major part of them present at any meeting duly notified, being not less than three in number, shall be, and hereby are authorized and empowered to open, or cause to be opened any dam, or sluice of any mill, or other dam now erected, or that may be hereafter erected on, or over any of the said rivers or streams, between the place where such rivers or streams empty themselves into the sea, at low water, and the ponds in which the said fish usually cast their spawns, at the expense of the owner or owners of such dam or sluice, *provided* such owner or owners shall neglect to open the same when thereto required by the said committee, or the major part of them, immediately after being thus required so to do; and the dam or sluice so opened shall continue open every year, to such depth and width and for such term of time between the first day of April and thirtieth day of June, as the major part of said committee shall judge necessary; and if any person or persons shall obstruct the said passage-ways allowed or ordered by the said committee, or a major part of them, in any dam or sluice, such person so offending shall, on conviction before any Justice of the Peace for the county of Barnstable, pay a fine for every such offence not exceeding ten dollars, nor less than three dollars; and the said committee shall cause every such obstruction to be forthwith removed.

SEC. 3. *Be it further enacted*, That if any person or persons shall take any of the said fish in the rivers, streams, ponds, or coves aforesaid, at any time, in any place, or in manner other than shall be allowed by the said committee as aforesaid, each person so offending, for each and every such offence shall, on conviction as aforesaid, pay a fine not exceeding four dollars, nor less than one dollar, if the quantity of fish so taken is less than one barrel: but if the quantity of fish so taken shall be one barrel or more, such person or persons so offending shall forfeit and pay for each and every barrel of fish so taken, the sum of four dollars.

Fish unlaw-
fully taken.

SEC. 4. *Be it further enacted*, That if the committee aforesaid, or either of them, shall detect any person or persons in attempting to take any of the said fish at any

time or in any place, or in any manner, otherwise than is allowed by the committee, or shall find such fish with such person or persons, such person or persons shall be deemed to have taken the said fish unlawfully, and shall be subject to the penalties of this act accordingly, unless such person or persons can make it appear on trial, that they came by the said fish in some other way.

SEC. 5. *Be it further enacted*, That if any vessel, boat, or craft, shall be found within the limits of any of the rivers, streams, ponds or coves, with any more of said fish than shall be permitted by the committee aforesaid, it shall be the duty of said committee, and they are hereby authorized to seize such vessel, boat or craft, and detain the same not exceeding forty-eight hours, in order that the same may be attached or arrested by due process of law, and made answerable for said fines and forfeitures, with cost of suit: *Provided however*, That as soon as the owner or master of said vessel, boat, or craft, shall pay such fines and forfeitures to the treasurer of said town, if he shall pay the same before being sued, such vessel, boat, or craft, shall be discharged with the effects therein.

May seize boats, &c.

Proviso.

SEC. 6. *Be it further enacted*, That all the forfeitures incurred by virtue of this act, shall be to the use of the said town of Yarmouth, to be recovered by an action on the case, in any court proper to try the same, to be brought by the treasurer thereof.

Forfeitures incurred.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXIV.

An Act for altering the name of The Village Cotton Wool and Linen Manufacturing Company.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the Village Cotton Wool and Linen Manufacturing Company, in Dudley, in the county of Worcester, shall be allowed to take the name of The

Name of company altered.

Village Factory; and by that name shall hereafter be called and known, shall sue and be sued, any thing in their act of incorporation, to the contrary notwithstanding.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXV.

An Act to protect Minors, and to secure the rights of Parents, Guardians, and Masters.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That if any person within this Commonwealth shall hereafter enlist or cause to be enlisted, into the army of the United States, any minor under the age of twenty-one years, knowing him to be such minor, without the consent in writing of his parent, guardian and master, and such minor shall within six months after his enlistment be removed out of this Commonwealth, so that he cannot be had before the Judicial Tribunals of this Commonwealth, by virtue of a writ of Habeas Corpus, the person so enlisting such minor, or so causing him to be enlisted, on conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

Penalty for
enlisting mi-
nors.

SEC. 2. *Be it further enacted,* That if any person, knowing any one to be a minor, under the age of twenty-one years, shall persuade him to depart from this Commonwealth, with intent to enlist in the army of the United States, without the consent of his parent, guardian and master, on the conviction thereof, before the Supreme Judicial Court, shall forfeit and pay a fine not exceeding five hundred dollars, or be imprisoned for a term not exceeding one year.

SEC. 3. *Be it further enacted,* That if any minor, under the age of twenty-one years, shall be hereafter enlisted within this Commonwealth, into the army of the United States, without the consent in writing of his parent, guardian and master, either of the Justices of the

Supreme Judicial Court, or of the Court of Common Pleas, or the Judge of the Boston Court of Common Pleas are hereby respectively authorized and required, Justice may award a writ. on application therefor, to award a writ of Habeas Corpus returnable forthwith, directed to the officer or person restraining such minor; and such Justice or Judge is hereby authorized and required, after a full hearing of the parties who shall appear before him, to discharge such minor so enlisted.

SEC. 4. *Be it further enacted*, That the Justice or Judge aforesaid is hereby authorized and empowered Justice authorized. to inquire into the causes of the imprisonment or restraint of any person brought before him, on such writ of Habeas Corpus, the return of the officer or person on said writ to the contrary notwithstanding.

SEC. 5. *Be it further enacted*, That all fines and forfeitures, incurred by virtue of this act, shall be recovered by indictment, or information, in the Supreme Judicial Court, to the use of the Commonwealth: *Provided*, Fines and forfeitures, that the Justice of said Court, who shall preside at the trial in which any such fine or forfeiture shall be recovered, may award to the parent, guardian or master of such minor, such part of such fine or forfeiture, so recovered, not exceeding the one moiety thereof, as he in his discretion shall think proper: *Provided also*, Provido, that all persons concerned shall be entitled to all the privileges, and subject to all the penalties and requisitions, given and incurred in an act, entitled "An act directing the process in Habeas Corpus," where the same do not contravene the provisions of this act.

[Approved by the Governor, February 27, 1815.]

CHAP. CXXXVI.

An Act to regulate the Shad and Alewife Fishery within the town of Billerica.

SEC. 1. **B**E it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That it shall and may be lawful

May appoint
a committee

for the inhabitants of the town of Billerica, at a legal town meeting in the month of March or April, annually, to choose a committee of three or more discreet persons, to sell or otherwise dispose of the exclusive right or privilege of taking shad and alewives in Concord river, within the limits of said town, at such times and places, and under such regulations and restrictions, not repugnant to the laws of this Commonwealth, as said committee shall, from year to year, establish and determine; a copy of which shall be posted up, at three public places at least, in the said town; and the emoluments arising from said right or privilege shall be appropriated to such uses and purposes as said inhabitants shall, in legal town meeting, from time to time determine.

Penalty for
not conform-
ing to rules.

SEC. 2. *Be it further enacted*, That if the purchaser or purchasers of said right, or any person by them employed, shall take any of said fish, in any other manner, or at any other time and place, than said committee shall authorize and allow, or if any other person, except the said purchaser or purchasers, or those by them employed, shall take any of said fish in said river, within the limits of said town, every person so offending, or who shall be aiding or abetting therein, shall for every offence forfeit and pay a sum not exceeding thirteen dollars, nor less than seven dollars, to be recovered by action of debt before any Justice of the Peace within the county of Middlesex; one moiety to him who shall sue for the same, and the other moiety to the use of the said town of Billerica.

Power.

SEC. 3. *Be it further enacted*, That said committee shall have power to determine and establish the price, which said purchaser or purchasers shall have a right to demand and receive for said fish; and if any such purchaser, or any person acting under their authority, shall refuse to sell said fish, when in their power so to do, at the price which shall be determined as aforesaid, of which notice shall have been given them by said committee, every person so offending shall, for each offence, forfeit and pay a sum not exceeding ten dollars, nor less than five dollars to the person injured, to be recovered as aforesaid: *Provided nevertheless*, that nothing in this act contained shall be construed to take away or impair

Proviso.

the authority of any fish wardens, or any other persons, derived from any existing laws for regulating the taking of fish in said river, except so far as it relates to the appropriation of forfeitures, for offences mentioned in the second section of this act.

[Approved by the Governor, February 28, 1815.]

CHAP. CXXXVII.

An Act to establish The Dean Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Robert Dean, William Strob-bridge, Jesse Hartshorn, Joseph Dean, jun. William Reed, and Cyrus Caswell, with such others as have as-* Persons in-
corporated.
sociated, or may associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Dean Cotton Manufacturing Com-
pany, for the purpose of manufacturing cotton yarn and cloth in Taunton, in the county of Bristol; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. *Be it further enacted, That said corporation may be lawfully seized of such real estate, not exceeding the value of thirty thousand dollars, and possessed of such personal estate, not exceeding the value of sixty thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton yarn and cloth, in said town of Taunton.* May hold
real and per-
sonal estate.

[Approved by the Governor, February 28, 1815.]

CHAP. CXXXVIII.

An Act to incorporate The Stockbridge Cotton Manufacturing Company.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Frederick Perry and Augustus Sherrill, together with such as may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of The Stockbridge Cotton Manufacturing Company, for the purpose of manufacturing cotton cloth and yarn in the town of Stockbridge, in the county of Berkshire; and for this purpose shall have all the powers and privileges, and shall also be subject to all the duties and requirements prescribed and contained in "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may lawfully hold and possess real estate, not exceeding the value of thirty thousand dollars, and personal estate, not exceeding sixty thousand dollars, for the purposes aforesaid.

[Approved by the Governor, February 28, 1815.]

CHAP. CXXXIX.

An Act to incorporate The Farmers' Cotton and Wool-
len Factory in Union.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Spencer Wolcott, Abner Dunton, Jesse Metcalf, John Lermond, and others, who have associated with them, together with such other persons as may hereafter associate with them, their succes-

Persons in-
corporated.

sors and assigns, be, and they are hereby made a corporation, by the name of The Farmers Cotton and Woollen Factory in Union, for the purpose of manufacturing cotton and woollen cloth and yarn in the town of Union, in the county of Lincoln; and for the purpose aforesaid shall have all the powers and privileges, and shall be subject to all the duties and requirements contained in an act, passed on the third day of March, in the year of our Lord one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid. May hold real and personal estate.

[Approved by the Governor, February 28, 1815.]

CHAP. CXL.

An Act to repeal an act, entitled "An act to establish a Military Corps, for the defence of the Commonwealth of Massachusetts.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That an act, passed the twentieth day of October, in the year of our Lord one thousand eight hundred and fourteen, entitled "An act to establish a military corps for the defence of the Commonwealth of Massachusetts," be, and the same is hereby repealed. Act repealed.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLI.

An Act in addition to the several acts, regulating the building and repairing of School-houses.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whenever a meeting of the inhabitants of any School district within this Commonwealth, shall be called conformable to the act to which this is in addition, for the purpose of building or repairing any School-house in the said district, and a majority of the voters present are opposed to the building or repairing necessary to be made, as stated in the warrant by which the said meeting was called, it shall be lawful for any five or more of the freeholders, who are inhabitants of said school district, to make application in writing to the Selectmen of the town in which such School district is situated, requesting them to insert in their warrant for calling the next town meeting an article, requiring the opinion of the town relative to the building or repairing, or the procurement of any utensils for the School-house, as proposed in the meeting of said school district; and if a majority of the voters present in said town meeting shall think the building or repairing necessary and expedient, they shall then grant such a sum of money as they shall think necessary for defraying the expense of such building or repairing, and the same shall be assessed on the polls and estates of the inhabitants of said district, and collected in manner and form as is provided in the act, entitled "An Act in addition to an act, entitled An act to provide for the instruction of youth, and for the promotion of good education."*

Repairing of
School hou-
ses.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLII.

An Act to annex a gore of land to the town of Industry.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That a certain tract of land, called the New Vineyard Gore, being all such part of the town of New Vineyard, as lies south of a line, running from the northwest corner of the town of Industry due west, until it strikes the west boundary line of the town of New Vineyard, be, and the same hereby is, together with the inhabitants thereon, set off from the town of New Vineyard, and annexed to the town of Industry: *Provided*, that the inhabitants of said tract of land shall be holden to pay their proportion of all legal taxes which have been assessed, ordered, or voted to be laid on said town of New Vineyard, by the inhabitants of said New Vineyard, or by the General Court, previous to the passing of this act, in the same manner as though this act had never been passed.

Land set off,

Provido,

SEC. 2. *Be it further enacted*, That in all State taxes which shall hereafter be granted, until a new valuation shall be settled, three cents be taken from the sum which the said town of New Vineyard now pays on one thousand dollars, in the present valuation, and added to the said town of Industry.

Taxes to be divided.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLIII.

An Act to establish a Ministerial Fund, in the town of East Sudbury.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the Selectmen of the town

Trustees in-
corporated.

of East Sudbury for the time being, and the Deacons of the church for the time being, in the said town of East Sudbury, be, and they are hereby appointed and incorporated as Trustees, by the name of The Trustees of the East Sudbury Ministerial Fund ; and by that name they and their successors in office shall be, and continue a body politic and corporate forever. And they shall have a common seal, subject to alteration ; and they may sue and be sued in all actions, real personal and mixed, and prosecute and defend the same to final judgment and execution, by the name aforesaid ; and shall have all other powers which are incident to, and necessarily belonging to the like corporations ; and the said trustees and their successors may annually elect one of their number as President, and a Clerk to record the doings of said trustees, and a Treasurer to receive and pay the money belonging to the said Fund, according to the provisions of this act, who shall give bond to the said trustees for the faithful performance of his duty, and shall be at all times responsible for the faithful application of the monies which may come into his hands conformably to the true intent and meaning of this act, and for all neglect or misconduct in his office.

Authority
and power.

SEC. 2. *Be it further enacted,* That the said Trustees be, and they are hereby authorized and empowered to sell and convey the several lots of land, belonging to the town of East Sudbury, which have been and are appropriated to the support of the ministry in said town, and the monies arising from the sale of the said land shall be put on interest, and shall form a fund for the support of the ministry in said town, which shall be under the care and management of the said trustees, in the manner provided for and directed in this act ; and all gifts, grants, donations, bequests or legacies, which have been, or may be hereafter made to and for the same use and purpose, shall be added to the said accumulating fund, and shall be under the same care and improvement of the Trustees aforesaid : and when the said Trustees shall loan the said monies, or any part thereof, the same shall be secured by mortgage on real estate, to twice the value of the money loaned, or secured, by two or more sufficient sureties, with the principal ; and the interest, and that only,

shall ever be appropriated for the uses aforesaid; and it shall never be in the power of the said trustees to alter or alienate the appropriation of the fund aforesaid. And the said trustees are hereby authorized to make and execute a good and sufficient deed or deeds of the said several lots of land, which shall be subscribed by the Treasurer, with their seal hereto affixed, and by him duly acknowledged; and when so executed and delivered, shall be good and effectual in law, to pass and to convey all the rights of said town in and to said real estate to the purchaser thereof.

Authorized
to make
deeds.

SEC. 3. *Be it further enacted*, That the said Trustees, Treasurer, Clerk, or other officers, or persons employed by them, shall be entitled to receive no compensation for the services they may perform, out of any monies belonging to the said fund, but a reasonable compensation shall be paid them by the town; and the said Trustees, and each of them, shall be responsible to the town for their personal neglect or misconduct, whether they be officers or not, and liable to prosecution for any loss or damage resulting thereby to the fund; and the debt or damage recovered in such suit, shall be to the use and addition of the said fund. And the said Trustees and Treasurer, and their successors in office, shall exhibit to the town a report of their doings, and the state of the funds, at the annual meeting in March or April.

Compensation of officers,

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Middlesex is hereby authorized, upon application therefor, to issue his warrant, directed to one of the trustees named in this act, requiring him to notify and call a meeting of the said trustees, to be holden at such convenient time and place, as may be appointed in said warrant, to organize the said corporation, by the appointment of its officers.

Justice to issue warrant.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLIV.

An Act in addition to an act, entitled “An act to incorporate the President, Directors, and Company of the Lynn Mechanics’ Bank.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the last instalment of fifty dollars on each share of the capital stock of the Lynn Mechanics’ Bank, in lieu of being paid in at the time as by law now prescribed, may be paid in at the discretion of the stockholders of said bank, at any time within one year from the passing of this act, any thing in the act to which this act is in addition to the contrary notwithstanding.

Further time
allowed.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLV.

An Act to establish The Union Cotton Factory Company.

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Roswell Merrick, Enoch Wiswall, George A. Pearse, and Artemas Wiswall, with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Union Cotton Factory Company, for the purpose of manufacturing cotton cloth and yarn, in the town of Monson: and for this purpose, shall have all the powers and privileges, and shall be subject to all the duties and requirements, prescribed and contained in an act, entitled “An act defining the general powers and duties of Manufacturing Corporations,” passed the third day of March, in the year of our Lord one thousand eight hundred and nine.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That the said corporation, in their corporate capacity, may lawfully hold and possess such real estate, not exceeding the value of seventy-five thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for carrying on the manufacture of cotton goods, in the said town of Monson.

May hold
real and per-
sonal estate.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLVI.

An Act in addition to an act, entitled “An act to incorporate the President, Directors, and Company of the Dedham Bank.”

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the third and fourth instalments of twenty-five dollars on each share of the Capital Stock of the Dedham Bank, in lieu of being paid in at the several times, as by law now prescribed, may respectively be paid in at the discretion of the stockholders of said Bank, at any time within one year from the passing of this act, any thing in the act to which this act is in addition to the contrary notwithstanding.

Instalments
to be paid
within one
year.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLVII.

An Act to incorporate The Cheshire Crown Glass Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Darius Brown, John Brown, John Leland, jun. Ambrose Kasson, and John Hunt, together with such others as may associate with them, their successors and assigns, be, and they hereby are made a

Persons in-
corporated.

corporation by the name of The Cheshire Crown Glass Company, for the purpose of manufacturing glass of every description in the town of Cheshire, in the county of Berkshire; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act, entitled "An act defining the general powers and duties of Manufacturing Corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. *Be it further enacted*, That the said corporation may lawfully hold and possess such real estate, not exceeding the value of seventy thousand dollars, and such personal estate, not exceeding thirty thousand dollars, as may be convenient and necessary for the manufacture of glass as aforesaid.

[Approved by the Governor, February 28, 1815.]

May hold
real and per-
sonal estate.

CHAP. CXLVIII.

An Act relating to Loans made to defray expenses incurred by the Commonwealth during the late war, and for other purposes.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That any bank within this Commonwealth, which before the first day of April next may have loaned any sum or sums of money for the special purpose of paying the expenses, or any part thereof, incurred in defence of the Commonwealth, during the late war, in pursuance of the provisions of its act of incorporation, may, on or before the first day of April next, surrender the note or notes of the Treasurer of the Commonwealth, given therefor, and shall receive the interest thereon from the time or times of making such loan or loans to the Commonwealth, up to the said first day of April, at and after the rate of six per centum per annum, and shall receive, in lieu of such note or notes, so surrendered, a certificate or certificates of the principal sum or sums loaned, bearing interest at and after the

Shall receive
interest.

rate of six per centum per annum, from the said first day of April, payable semi annually on the first day of October and of April; said certificates to be issued in such form as the Governor and Council may direct, and in such sums, not under five hundred dollars, as the bank, having so loaned, may request, to be redeemable at the pleasure of the Commonwealth, and transferable at the office of the Treasurer; which certificates shall be deemed and taken as evidence of money loaned to the Commonwealth, in pursuance of the provisions of the act of incorporation aforesaid, until the same is repaid or transferred by the bank.

SEC. 2. *Be it further enacted*, That any bank, which may after the said first day of April next, and before the first day of July next, loan to the Commonwealth, any sum or sums of money for the purposes aforesaid, shall receive from the Treasurer of the Commonwealth a certificate or certificates therefor, bearing interest at and after the rate of six per centum per annum, payable semi annually on the first day of October and of April, which said certificates shall be granted, transferred and paid in the manner herein before provided.

Certificate to
be given.

[Approved by the Governor, February 28, 1815.]

CHAP. CXLIX.

An Act to prevent damage to Bridges and Dams across Connecticut River in this Commonwealth.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, it shall not be lawful for any person to drive or float down, or cause to be driven or floated down Connecticut river, within this Commonwealth, any masts, spars, logs, or other timber, unless the same shall be formed and bound into rafts, and placed under the care of a sufficient number of persons to govern and manage the same, so as to prevent damage being done thereby; and if any person shall drive or float down, or cause to be

Shall not
float timber,
&c. down the
river.

Penalty.

driven or floated down said river, within this Commonwealth, any masts, spars, logs, or other timber, without the same being formed and bound together, and under the care of a sufficient number of persons as aforesaid, every such person and every other person, having any right or interest in any timber, bound together as aforesaid, or otherwise in any manner floating or passing down said river, shall be liable for any damage which may be done to any bridges or dams, over or across said river, or any part thereof within this Commonwealth, by means of any timber so driven, floated or in any manner passing down said river as aforesaid; and all persons or corporations, owning or interested in any such bridges, or dams, may have and maintain a special action of the case for the recovery thereof, in any court proper to try the same, any law, usage, or custom to the contrary notwithstanding.

[Approved by the Governor, March 1, 1815.]

CHAP. CL.

An Act to incorporate 'The Duxbury South-River Manufacturing Company.

Persons incorporated.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ahira Wadsworth, Thomas Winsor, Freeman Loring, Luther Phillips, Whittemore Peterson, Thomas Cushman, Dura Wadsworth, Isaiah Alden, Luther Peirce, Wadsworth Chandler, Daniel Chandler, David Delano, Peleg Weston, Bailey Hall, and Peleg Weston, jun. together with such other persons as have or may hereafter associate with them, their successors and assigns, be, and they hereby are made a corporation, by the name of 'The Duxbury South-River Manufacturing Company, for the purpose of manufacturing cotton and woollen goods (and machinery for the same) at Duxbury, in the county of Plymouth; and for that purpose shall have all the powers and privileges, and be subject to all the duties and requirements contained in an act passed on the third

day of March, in the year of our Lord, one thousand eight hundred and nine, entitled "An act defining the general powers and duties of manufacturing corporations."

SEC. 2. *Be it further enacted*, That the said corporation may be lawfully seized of such real estate, not exceeding the value of fifty thousand dollars, and such personal estate, not exceeding one hundred thousand dollars, as may be necessary and convenient for establishing and carrying on the manufactory of cotton and woollen goods at Duxbury aforesaid.

May hold
real and per-
sonal estate.

[Approved by the Governor, March 1, 1815.]

CHAP. CLI.

An Act for establishing the westerly line of the town of Kingville, and for altering the name thereof.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the name of the town of Kingville, in the county of Kennebeck be, and the same is hereby altered to the name of Joy, and that said town shall hereafter be known and called by the said last mentioned name, any thing in the act whereby the said town was incorporated notwithstanding; and that the westerly line of the tract of land formerly known and called township number four, in the first range, north of the Waldo patent, shall hereafter be the westerly line of said town.

Name of
town altered

[Approved by the Governor, March 1, 1815.]

CHAP. CLII.

An Act to incorporate The Stratton Cotton Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That George Stratton, Melatiah

Everett, William Sumner, Jacob Leonard, Beriah Mann, and Elias Nason, with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Stratton Cotton Manufacturing Company, for the purpose of manufacturing cotton yarn and cloth, in the town of Foxborough, in the county of Norfolk; and for the purpose aforesaid, shall have all the powers and privileges, and be subject to all the duties, requirements and liabilities, contained in an act, entitled "An act defining the general powers and duties of manufacturing corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

May hold
real and per-
sonal estate.

SEC. 2. *Be it further enacted*, That said corporation may be lawfully seized and possessed of such real estate, not exceeding the value of thirty thousand dollars, and such personal estate, not exceeding the value of sixty thousand dollars, as may be necessary and convenient for carrying on the manufacture aforesaid, in the said town of Foxborough.

[Approved by the Governor, March 1, 1815.]

CHAP. CLIII.

An Act to incorporate The Phillipston Cotton and Woollen Manufacturing Company.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ignatius Goulding, Joseph Goulding, and Simon Bancroft, with such others as may hereafter associate with them, their successors and assigns, be, and they are hereby made a corporation, by the name of The Phillipston Cotton and Woollen Manufacturing Company, for the purpose of manufacturing cotton and woollen yarn and cloth in the town of Phillipston; and for this purpose said corporation shall have all the powers and privileges, and be subject to all the duties and requirements, prescribed and contained in an act, entitled "An act defining the general powers and

Persons in-
corporated.

duties of manufacturing corporations," passed on the third day of March, in the year of our Lord one thousand eight hundred and nine.

SEC. 2. *Be it further enacted,* That the said corporation may lawfully hold and possess such real estate, ^{May hold real and personal estate.} not exceeding the value of twenty thousand dollars, and such personal estate, not exceeding twenty thousand dollars, as may be necessary and convenient for carrying on the manufactures aforesaid.

[Approved by the Governor, March 1, 1815.]

CHAP. CLIV.

An Act to establish The South Congregational Parish, in the town of Prospect.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the inhabitants dwelling in that part of the town of Prospect, in the county of Hancock, as contained within the following described lines, be, and they are hereby incorporated and established as a distinct parish, by the name of The South Congregational Parish in the town of Prospect, viz: Southward and westward of a line beginning on Penobscot river, in the line forming the northeastern angle of land of Alexander Black, thence continuing westwardly in said line to the northwestern angle of the land of said Alexander Black, thence running and continuing such course as shall intersect the line of Frankfort, due north from the north end of half moon pond; and the said South Congregational Parish is hereby vested with all the powers and privileges, and subjected to all the duties which are required of parishes and religious societies, according to the constitution and laws of this Commonwealth. ^{Parish incorporated.}

SEC. 2. *Be it further enacted,* That any Justice of the Peace for the county of Hancock is hereby empowered, upon application therefor, to issue a warrant, directed to a freehold inhabitant of the said South Con- ^{May call a meeting.}

gregational Parish, requiring him to notify and warn a meeting of the inhabitants thereof, at such convenient time and place, as shall be appointed in the said warrant, to organize the said parish, by the election of its officers.

[Approved by the Governor, March 1, 1815.]

CHAP. CLV.

An Act in further addition to an act, entitled "An act providing for the government and regulation of the State Prison."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That His Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to appoint and commission, during pleasure, a chaplain for the State Prison, whose duty it shall be to perform divine service therein on the sabbath, and on other days appointed for public worship, and also to visit the sick, and instruct the convicts in their moral and religious duties.

May appoint
a chaplain.

SEC. 2. *Be it further enacted,* That His Excellency the Governor, by and with the advice and consent of the Council, be, and he is hereby authorized to appoint and commission, during pleasure, a physician for said prison, whose duty it shall be to prescribe for the sick convicts, as occasion may require, and also to attend to the regimen, clothing and cleanliness of the prisoners; and whose order for supplies in the medical department shall authorize the warden to procure the same.

Physician to
be appointed

Compensa-
tion estab-
lished

SEC. 3. *Be it further enacted,* That the chaplain shall receive one hundred and fifty dollars, the physician shall receive two hundred and fifty dollars, and the directors shall receive one hundred dollars each, annually, payable in quarterly payments, in full compensation for their services.

SEC. 4. *Be it further enacted*, That all acts and parts of acts, heretofore passed, which are inconsistent with the provisions of this act, be, and the same are hereby repealed. Acts repealed.

[Approved by the Governor, March 1, 1815.]

CHAP. CLVI.

An Act repealing an act regulating Stables.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That an act, passed on the nineteenth day of October last, entitled "An act for regulating public stables throughout the Commonwealth," be, and the same is hereby repealed. Act repealed

[Approved by the Governor, March 1, 1815.]

CHAP. CLVII.

An Act in addition to an act, entitled "An act to establish The Bluehill Turnpike Corporation."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That the Bluehill Turnpike Corporation shall and may lawfully hold and possess real estate, not exceeding in value ten thousand dollars. May hold real estate.

SEC. 2. *Be it further enacted*, That if any person shall travel on the road of said corporation, and turn off the same when coming near the toll gate thereon, with a design to avoid paying toll, and then come on to said road again, notwithstanding it may have been where the turnpike was made on the old road, shall be liable to all the penalties provided in the act establishing said corporation, for refusing or avoiding the payment of tolls: *Provided*, any part of said travelling be on that part of the turnpike not made on the old road. Penalties. Proviso.

[Approved by the Governor, March 1, 1815.]

CHAP. CLVIII.

An Act to repeal an act, entitled “An act limiting the period, during which any person shall be eligible to the office of County Treasurer.”

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, passed the twenty-second day of June, in the year of our Lord one thousand eight hundred and eleven, entitled “An act limiting the period during which any person shall be eligible to the office of County Treasurer,” be, and the same is hereby repealed.

[Approved by the Governor, March 1, 1815.]

CHAP. CLIX.

An Act in addition to an act, entitled “An act to incorporate William Bartlet and others into a company, by the name of The Merrimack Insurance Company.”

SEC. 1. BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the act, entitled “An act to incorporate William Bartlet and others into a company, by the name of The Merrimack Insurance Company,” be, and the same is hereby revived, and the provisions thereof established and confirmed, unto the said William Bartlet and others, who are or shall become stockholders in said company, notwithstanding the failure of a compliance on the part of said company, with the terms of said act: Provided, that nothing herein contained shall be construed to affect the liability or rights of said company, or the rights of any person or persons who may have been injured, by the failure of said company to comply with the terms of said act.

SEC. 2. *Be it further enacted*, That the capital stock of said company, amounting to one hundred thousand dollars, shall all be paid in within one year from the passing of this act, viz. twenty-five per cent thereof on or before the tenth day of April next, and the residue at such times within the year aforesaid, and in such instalments as said company shall direct. Payment of capital.

SEC. 3. *Be it further enacted*, That William Bartlet, Nicholas Pike and Jeremiah Nelson, or any two of them, are hereby authorized to call a meeting of the members of said corporation as soon as may be, in Newburyport, for the purpose of electing a Board of Directors, to continue in office until the next annual meeting, by giving such notice as is required by the third section of the act to which this is in addition. Authorized to call meeting.

[Approved by the Governor, March 4, 1815.]

CHAP. CLX.

An Act in addition to an act, entitled "An act to divide the town of Poland, and to incorporate the northerly part thereof into a separate town, by the name of Minot."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That so much of the second section of the act, entitled "An act to divide the town of Poland, and to incorporate the northerly part thereof into a separate town, by the name of Minot," as defines the manner in which the towns of Poland and Minot shall support their paupers, be, and the same is hereby repealed. Act in part repealed.

SEC. 2. *Be it further enacted*, That, from and after the passing of this act, every person who had a legal settlement in, but was removed from the town of Poland aforesaid, at the time of the division of said Poland and incorporating Minot, and who had not gained a legal settlement elsewhere, shall have his legal settlement in, To support poor.

and, if of public charge, be supported by that town, wherein his former dwelling or home was, at the time of the aforesaid division of Poland.

[Approved by the Governor, March 1, 1815.]

CHAP. CLXI.

An Act to regulate the Shad and Alewife Fishery in the town of Brighton.

May sell the fishery.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing this act, it shall be lawful for the inhabitants of the town of Brighton, by their agents, to sell the right and regulate the places and manner of taking the fish called shad and alewives, within the limits of said town, subject in all things to an act passed on the twenty-eighth day of February, one thousand eight hundred, entitled "An act to prevent the destruction of the fish called alewives and shad, in Charles River." And the inhabitants of said town, at their annual meetings in March or April, are hereby authorized and empowered to appoint agents, whose duty it shall be to carry into execution the purposes of this act.

SEC. 2. *Be it further enacted,* That the agents aforesaid may, for and in behalf of said town, and to their use and benefit, sell the right, regulate the places and manner of taking said fish within the limits of said town, for one or more years at a time, as the town may direct; and the proceeds arising by such sale, said Agents shall be held to pay over to the Treasurer of said town.

July of fish agents.

SEC. 3. *Be it further enacted,* That the said agents shall, after establishing such rules and regulations as they may think necessary, and by determining by whom said fish may be taken, cause an attested copy thereof to be posted up in some public place in said town; and if any person or persons, other than those to whom said right is sold, or persons employed by them, shall take any of the fish called shad or alewives, within the

limits aforesaid, or if any person or persons to whom said right is sold, or those employed by them, shall take any of said fish in any other place or in any other manner than shall be expressed in the conditions of sale, every person so offending shall severally forfeit and pay a sum not exceeding ten dollars, nor less than four dollars, for each and every offence, to be recovered in an action on the case, to the use of any person who may sue for the same, or the town may sue by their fish agents.

Penalty for
taking fish
contrary to
law.

[Approved by the Governor, March 1, 1815.]

CHAP. CLXII.

An Act to incorporate The Protestant Methodist Society in Alna and New Castle.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Ezekiel Averell, Samuel Averell, jun. Barnabas Bruce, Samuel Cargill, Thomas Chase, William Cochran, David Cook, — Copeland, Thomas Cunningham, jun. Joseph Dunton, Jotham Dunnell, Thomas Fairservice, Matthew Harley, Ezekiel Hearsey, Joseph Hilton, James Hodge, David Hunt, Samuel Johnson, Samuel Kennedy, jun. Joseph Laiten, Robert Lenox, Timothy S. Morrell, David Murray, Robert Murray, David Otis, Timothy Page, Andrew Peters, Robert Robinson, John Rundlet, Oaks Rundlet, William Simpson, James Stevens, Mark Stevens, Joseph Tarr, Lewis Tobey, Gideon Turner, Cornelius Turner, Benjamin Woodbridge, jun. Hodge Woodbridge, and Robert Robinson, together with their families and estates, and such others as may hereafter associate with them, and their successors, be, and they are hereby incorporated as a religious society, for religious purposes only, by the name of The Protestant Methodist Society in Alna and New Castle; and as such shall have all the powers and privileges, and shall also be subject to the same duties, as other Religious Societies, according to the constitution and laws of this Commonwealth.

Persons in-
corporated.

Manner of
becoming a
member.

SEC. 2. *Be it further enacted*, That any person, belonging to any other religious society, in either of the said towns of Alna or New Castle, who may desire to become a member of the said Protestant Methodist Society, shall declare his or her intention in writing to the minister or clerk thereof, and shall also deliver a copy of the same declaration to the town clerk, fifteen days before the annual town meeting; and if such person doth receive and can produce a certificate of admission to membership, signed by the minister or clerk of said Methodist society, such person, with his or her polls and estate, from the date of such certificate, shall be considered as members of the said Methodist society; and the said certificate shall operate and have effect to exonerate such person from taxation for the support of the minister of any other religious denomination, in the town where such person may dwell or reside.

May leave
this Society.

Proviso.

SEC. 3. *Be it further enacted*, That when any member of the said Protestant Methodist Society, living in either of the said towns of Alna or New Castle, may see cause to secede therefrom, and to unite with any other religious society in the town where he or she may dwell or have their home, the same form and process shall be had and done, *mutatis mutandis*, as is prescribed in the second section of this act: *Provided however*, that in every case of secession from any one religious society and joining another, every such person shall be holden in law to pay his or her proportion or assessment of parish or society taxes and expenses legally assessed and due and unpaid at the time of such secession.

Justice to is-
sue warrant.

SEC. 4. *Be it further enacted*, That any Justice of the Peace for the county of Lincoln, upon application therefor, is hereby empowered to issue a warrant, directed to a freeholder and member of the said Protestant Methodist Society, requiring him to notify and warn the members thereof to meet at such convenient time and place as may be appointed in the said warrant, to organize the said society by the election of its officers.

[Approved by the Governor, March 1, 1815.]

CHAP. CLXIII.

An Act altering the boundary line between Hadley and Amherst.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That the west boundary line of lot number fifteen, in the fifth division, originally laid out to John Smith, running from the north line of the town of South Hadley, to the bay road, and continued across said road, so as to intersect the north side thereof, together with all that part of the north side of said road, which lies between the point of said intersection and the original south west corner of the town of Amherst, shall forever hereafter constitute the boundary line between the town of Amherst and that part of the town of Hadley which lies south of the north side of the said road. Boundary line fixed.

SEC. 2. *Be it further enacted,* That all the land lying south and west of the boundary, by this act established, and heretofore comprised within the limits of Amherst, be, and hereby is annexed to Hadley, and that all the land lying east of said boundary, and heretofore included within the limits of Hadley, be, and hereby is annexed to Amherst: *Provided,* that nothing herein contained shall prevent the collection of any taxes now due from the owners of said lands, to either of said towns. Land annexed.

Proviso.

[Approved by the Governor, March 1, 1815.]

CHAP. CLXIV.

An Act for regulating the proceedings in suits upon Constables' Bonds in the town of Boston.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same,* That when the condition of any

bond which now is, or may hereafter be given to the Treasurer of the town of Boston by any constable of said town, for the faithful performance of the duties of his office, shall be broken, to the injury of any person, such person may cause a suit to be instituted upon such bond, at his own costs, but in the name of the Treasurer of the town of Boston, and the like endorsements shall be made on the writ, and the like proceedings be had thereon to final judgment and execution, and the like writs of scire facias on such judgment as may be made, and had by a creditor on administration bonds given to any Judge of Probate : *Provided however*, that no such suit shall be instituted by any person for his own use, until such person shall have recovered judgment against the constable, his executors or administrators, in an action brought for the malfeasance or misfeasance of the constable, or for non-payment of any monies collected by the said constable in that capacity, or a decree of a Judge of Probate, allowing a claim for any of the causes aforesaid, and such judgment or decree, or so much thereof as shall be unsatisfied, with the interest due thereon, shall be the proportion of the penalty for which execution shall be awarded : *Provided however*, that this act shall not be construed to make any surety in any bond given by the constable as aforesaid, before the passing of this act, liable to any suit which could not heretofore be legally prosecuted against him.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Treasurer aforesaid to deliver an attested copy of any constable's bond to any persons applying and paying for the same ; and such attested copy shall be received as evidence in any case : *Provided nevertheless*, that if in any suit the execution of the bond shall be disputed, the court may order the Treasurer to bring the original bond into court.

[Approved by the Governor, March 1, 1815.]

Bond broken.
en.

Proviso.

Duty of the
Treasurer.

CHAP. CLXV.

An Act to incorporate The First Calvinistic Baptist Society in Parsonsfield.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That Simon Marston, Richard Lord, Hardy Merrill, Archelaus Pray, Joseph White, Ammi R. Lord, James Remick, John Merrill, Pelatiah Ricker, Tobias Ricker, Francis S. Grace, John Lord, John Lord, jun. Nathaniel Lord, and Jacob Witham, with their polls and estates, together with such others as may hereafter associate with them, and their successors and assigns, be, and they are hereby incorporated as a religious society, by the name of The First Calvinistic Baptist Society in Parsonsfield, with all the powers and privileges, and subject to all the duties of other religious societies, according to the constitution and laws of this Commonwealth.

Persons in-
corporated.

SEC. 2. *Be it further enacted*, That any person in the said town of Parsonsfield, who may at any time hereafter, desire to become a member of the said Calvinistic Baptist Society, shall declare such desire and intention in writing, and deliver the same to the minister or clerk of said society, and a copy of the same to the town clerk of said Parsonsfield; and if such person doth receive, and can produce a certificate of admission to membership, signed by the said minister or clerk, such person, with his or her family and estate, shall be considered, from the date of such certificate, members of the said First Calvinistic Baptist Society; and such certificate shall operate and have effect to exonerate such person from any tax or other charge, for the support of the minister of any other religious denomination, in the said town of Parsonsfield.

Method of
becoming a
member.

SEC. 3. *Be it further enacted*, That when any member of the said First Calvinistic Baptist Society, may see cause to leave the same, and to unite with any other religious society in the said town of Parsonsfield, the

Manner of
leaving this
society.

Proviso.

same course and process, *mutatis mutandis*, shall be had and done, as is prescribed in the second section of this act: *Provided however*, that in every case of secession, from one society and joining to another, every such person shall be holden to pay his or her proportion or assessment of parish, or society taxes and expenses, assessed and not paid, prior to such secession.

Justice to issue warrant.

SEC. 4. *Be it further enacted* That any Justice of the Peace, in the county of York, is hereby empowered, upon application therefor, to issue a warrant, directed to a freeholder and member of the said First Calvinistic Baptist Society, requiring him to notify and warn the members thereof, to meet at such convenient time and place, as shall be appointed in the said warrant, to organize the said society, by the appointment of its officers.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXVI.

An Act in further addition to an act, entitled "An act in addition to an act, entitled an act in addition to an act, granting a lottery for the purpose of completing the locks and canals at Amoskeag falls, in the state of New Hampshire."

Act in part repealed.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That from and after the passing of this act, all that part of the first section of an act, entitled "An act in addition to an act, entitled an act in addition to an act, granting a lottery for the purpose of completing the locks and canals at Amoskeag falls, in the state of New Hampshire," which relates to the price and also to the number of the tickets to be issued in each class of said lottery, be, and the same is hereby repealed.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXVII.

An Act to alter and change the names of certain persons therein mentioned.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing this act, William Andrews, son of Ebenezer T. Andrews, Esq. of Boston, in the county of Suffolk, shall be allowed to take the name of William Turell Andrews; that Theodore Baker of the same Boston, shall be allowed to take the name of George T. Baker; that James Drew, of Boston aforesaid, mariner, shall be allowed to take the name of James Clement Drew; that Shirley Erving, eldest son of Dr. Shirley Erving, late of said Boston, deceased, shall be allowed to take the name of William Shirley Erving; that James Moncrieff, of Boston aforesaid, late an indented apprentice to William H. H. Chealy, of the same Boston, trader, shall be allowed to take the name of James Chealy Moncrieff; that Jonathan Low, of Gloucester, in the county of Essex, shall be allowed to take the name of James Willis Low; that Stephen Marston, of Newburyport, in the county of Essex aforesaid, shall be allowed to take the name of Stephen Webster Marston; that John Ropes, jun. a minor, and son of John Ropes, Esq. of Salem, in the same county of Essex, shall be allowed to take the name of John Haradan Ropes; that John Adams, of Roxbury, in the county of Norfolk, son of Nathan Adams, of Medford, in the county of Middlesex, shall be allowed to take the name of Edward Holyoke Adams; that Howard Davis, of Westport, in the county of Bristol, shall be allowed to take the name of John Howard Davis; that Lot Bumpus, jun. of Wareham, in the county of Plymouth, shall be allowed to take the name of Lot Bumpus Sullivan; that Major Goodale Ware, of Northampton, in the county of Hampshire, shall be allowed to take the name of Goodale Sylvester Ware; that Elizabeth Hyde, of Sandisfield, in the county of Berkshire, daughter of Dr. Jabez Holden,

Names
altered.

Names
altered.

of the same Sandisfield, and formerly the wife of Agur Hyde, of the same town, shall be allowed to take the name of Elizabeth Smith; that Edwards Morse, of Charlestown, in the county of Middlesex, gentleman, son of the Rev. Jedidiah Morse, D. D. of the same Charlestown, shall be allowed to take the name of Sydney Edwards Morse; that Mary Emerson Baker, of Newburyport, in the county of Essex, aforesaid, single woman, shall be allowed to take the name of Mary Jane Brown.

And the several persons before named, from the time of passing this act, shall be called and known by the names, which by this act they are respectively allowed to take and assume as aforesaid: and the said names shall forever hereafter be considered as their only proper and legal names to all intents and purposes.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXVIII.

An Act to incorporate The Trustees of the Fund for the support of religious worship in the Episcopal Society of St. Andrews in Hanover.

Preamble.

WHEREAS the sum of twelve hundred dollars has been subscribed, for the purpose of establishing a fund, for the support of religious worship in the Episcopal Society of St. Andrews in Hanover: Therefore,

Trustees appointed.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That the wardens and vestrymen of said society, for the time being, and their successors in office, be, and hereby are appointed Trustees of the said fund, by the name of The Trustees of the Fund for the support of religious worship in the Episcopal Society of St. Andrews in Hanover; and they shall be a body politic and corporate by that name forever, shall have a common seal, may sue and be sued in their corporate capacity, and may prosecute and defend to*

final judgment and execution by their said corporate name.

SEC. 2. *Be it further enacted*, That the senior warden of said society shall call a meeting of said Trustees on the third Tuesday of April next, by giving personal notice to each of them, seven days at least before the time of such meeting. After which said first meeting, all subsequent meetings shall be held at such times and places, and called in such manner, as the said Trustees shall direct.

May call a meeting.

SEC. 3. *Be it further enacted*, That the said Trustees, at their said first meeting, and ever after annually, shall elect a president, clerk, and treasurer by written ballot. The clerk shall be sworn by the president to the faithful discharge of the duties of his office, and the treasurer shall give bonds to the acceptance of the wardens of said society.

Shall elect officers.

SEC. 4. *Be it further enacted*, That said Trustees shall have the sole superintendence, management, and controul of the said fund, and of such other sums of money or other property as may hereafter be subscribed or appropriated towards the increase of said fund, under the following restrictions: first, that the principal of said fund shall at no time be expended, but shall be put to interest on good security, or invested in bank or other stock, as the said Trustees may judge proper and prudent: secondly, that the interest or net income of said fund shall be paid into the treasury of said society, for the support of religious worship therein, unless by vote of the said society the same shall have been converted into principal: thirdly, that the said Trustees shall, at all reasonable times, submit their books and papers to the inspection of the treasurer of said society, or of any committee appointed by said society to inspect the same, and shall render their account, and pay any balances of interest or net income of said fund in their hands, whenever thereunto requested by said society, unless the same had been previously converted into principal by vote of said society.

Management of the fund.

SEC. 5. *Be it further enacted*, That the said Trustees may hold personal estate, to the value of ten thousand dollars, and real estate, to the value of ten thousand dollars, for the purposes aforesaid.

May hold real and personal estate.

SEC. 6. *Be it further enacted*, That should any loss in said fund happen or accrue, in consequence of gross negligence or malfeasance of said Trustees, or of either of them, the said society may have and support a special action on the case against said Trustess, or either of them, who may be thus negligent, or guilty, and recover against them or him, in any court proper to try the same, such sum in damages, as may be an indemnity for such loss.

Negligence
of Trustees.

SEC. 7. *Be it further enacted*, That the said Trustees, at any of their meetings, duly notified, may make any by-laws, rules, and regulations, not repugnant to the laws of this Commonwealth: *Provided*, the substance of such by-laws, rules, and regulations shall have been inserted in the warrant for calling such meeting.

May make
by-laws, &c.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXIX.

An Act to regulate the custody of shipwrecked goods,
and to preserve them for their owners.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That any commissioner, hereafter to be appointed, in pursuance of this act, immediately on receiving information of any shipwreck, finding of any goods or shipwrecked property of any kind, to the amount of one hundred dollars or upwards, on any of the shores or waters within this Commonwealth, shall immediately repair to said property, and in case the same is unattended by any owner or agent, shall take charge of the same for the lawful owner, and in the best way and manner in his power, preserve and secure the same; and said commissioner shall have all the power and authority of a fireward to preserve and secure the same and compel assistance for that purpose; and it shall be the duty of said commissioner to take an inventory of the same, and when required by the owner or agent of said property, or any insurance company or

Charge to be
taken of
shipwrecked
property.

To take an
inventory.

underwriter, or other person interested in said property, shall make oath that the same is the whole property which has come to his custody, and shall immediately deliver the same to the lawful owner, agent, or other person legally authorized to receive it; *provided* he is paid or secured to be paid such reasonable compensation for his services and expenses, and such custom house duties, as may be due from said property, or which may have been previously paid by said commissioner; and said commissioner, owner, or agent, shall have power to agree on the proper compensation to be allowed for said services and expenses; but in case they shall not agree, said commissioner shall receive such sum, as shall be awarded by referees mutually chosen by the parties; said commissioner to choose one referee, the owner, agent, or other person interested, another; and the two, thus chosen, shall choose a third; and the referees thus appointed, and the parties thus appointing them, shall proceed in all respect as is required by an act for rendering the decision of civil causes as speedy and as little expensive as possible; and if either of the party shall be dissatisfied with the award of the referees aforesaid, notice shall be given to the opposite party and an appeal shall lie to the Supreme Judicial Court next to be holden in and for the county in which such property shall be found; and the Supreme Judicial Court shall have power to hear and determine the case in the same manner as if the cause came before them on an appeal from the Circuit Court of Common Pleas; and no owner or agent, or other person interested in said property, shall be holden to pay any charge to any other person for services or expenses, in taking or securing said property, than the commissioners aforesaid, unless it be that property taken and secured before the arrival of said commissioner; in which case said commissioner shall, upon due hearing of all parties interested, determine the compensation to be received as aforesaid, and from his award in writing there shall be no appeal, unless the sum demanded and allowed by said commissioner shall exceed the sum of fifty dollars; in which case an appeal shall lie to the Supreme Judicial Court, to either party aggrieved by the doings of said commissioner,

Provided.

Referees to be chosen.

Compensation.

Forfeiture
incurred.

and similar process shall be had by said Court as is had in cases carried by appeal from the Circuit Court of Common Pleas : and in case any person or persons shall, after the arrival of the commissioner aforesaid, intermeddle with, take, secrete, or detain any property, shipwrecked or found as aforesaid, but as he or they are authorized and directed by the commissioner, owner, or agent, or other person interested, he or they shall forfeit and pay the sum of one thousand dollars for each and every offence, to be recovered by an action of debt in any court proper to try the same ; and the said commissioner, owner, agent, or other person interested, or either of them, are hereby authorized to bring said action and receive said penalty to their own use.

To advertise
shipwrecked
property.

May dispose
of property.

SEC. 2. *Be it further enacted*, That it shall be the duty of the commissioners aforesaid, immediately on their arrival at any wreck or goods found as aforesaid, to publish in the most expeditious manner the facts they shall ascertain, that the knowledge of the event may come to the owner, agent, or person interested as soon as may be ; and in all cases they shall publish the particulars of said shipwreck, or goods found, in the nearest newspaper to said shipwreck, or goods found, on penalty of fifty dollars, to be recovered by an action of debt in any court proper to try the same, at the suit of the owner, agent, or other person interested, who are hereby authorized to bring said action and receive the penalty recovered to their own use ; and it shall and may be lawful for said commissioners to dispose of so much of said property at public auction, within thirty days from taking the same into custody as shall be sufficient to pay all duties due for the same to the custom house, and shall forthwith pay or give security to the custom officer for the discharge of the same ; and in case the nature of the property so taken as aforesaid is perishable and cannot be retained in possession for one year, without essentially lessening its value, and no owner, agent, or other person interested in the same shall appear to claim it for the space of sixty days, it shall be the duty of said commissioners to advertise said property in the public newspapers and sell the same at auction to the most advantage in their power ; and if no owner, agent, or other

person interested in said property shall appear in one year to claim said property, it shall be the duty of said commissioners to present an inventory of said property received by him as aforesaid, or, if sold, an account of sales to the Treasurer of the Commonwealth, and shall make oath that the same is the whole property which has come to his possession, duties paid to the custom-house excepted, if said duties are paid; and shall pay over to the Treasurer aforesaid the whole balance remaining in his hands, for the use of the Commonwealth; and the Treasurer aforesaid is hereby authorized to make said commissioner such reasonable compensation for his services and expenses as shall be just and equitable, to be ascertained in case of disagreement by said commissioners and Treasurer, in the same way and manner as is provided for in this act when said commissioners and owners or agents shall not agree respecting such services and expenses: and when any commissioner, appointed in pursuance of this act, shall neglect to inform the Treasurer of this Commonwealth, of property taken by him as aforesaid, for sixty days after the expiration of the year he may have held the same, or if so informing said Treasurer, he or they shall neglect to pay over the property aforesaid to the Treasurer aforesaid, the attorney or solicitor-general of this Commonwealth are hereby authorized and directed to commence a proper legal process for the same, at the next term of the Supreme Judicial Court in the county where said commissioner dwells, and shall pursue the same to final judgment and execution to pay the sums recovered as aforesaid to the Treasurer of said Commonwealth.

To make an inventory.

Compensation for service.

SEC. 3. *Be it further enacted*, That the Governor, with the advice of council, be, and he is hereby authorized to appoint, in the several counties of this Commonwealth, a sufficient number of commissioners, removeable at the pleasure of the executive, of wrecks and lost goods, all of whom shall be commissioned and sworn to the faithful observance of this act, and shall give bonds to the Judges of Probate for the counties in which they reside, with sufficient sureties to the acceptance of said Judges for the faithful discharge of their trust; and the same remedy may be had on said bonds to any owner,

Authorized to appoint commissioners.

agent, or other person interested in said property, as is had on bonds given to Judges of Probate for the faithful administration on estates.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXX.

An Act establishing a law term of the Supreme Judicial Court to be holden within and for the counties of Plymouth and Bristol.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the Supreme Judicial Court, to be holden by three or more Justices of said court, pursuant to the second section of an act passed on the fifteenth day of March, in the year of our Lord one thousand eight hundred and five, entitled an act making further provision in the Judicial department, shall be holden annually, alternately at Plymouth, in the county of Plymouth, and at Taunton, in the county of Bristol, on the second Tuesday in July, the first term of said court to be holden at Plymouth.*

Place of
holding
court altered

To have
cognizance.

SEC. 2. *Be it further enacted, That said court, to be holden as aforesaid, shall have cognizance of all matters and things arising or depending in either of the said two counties respectively, for which the said court is to be holden, and which, by force of the act aforesaid, are to be heard, tried and determined before three or more of the Justices of said court, in like manner as if the said court were holden pursuant to the provision in the said second section of said act in the county, in which such suit may arise, or be depending, excepting only that no issue of fact, to be tried by a Jury, shall be tried by said court to be holden as aforesaid.*

Clerk to sue
writ.

SEC. 3. *Be it further enacted, That all writs of error, in which error in law is assigned, all writs of certiorari, and all other writs and processes in suits, which are to be heard and tried before three or more of the Justices*

of said court, shall be sued out of the office of the clerk of said court for the county from which it would have issued if this act had never been passed, but shall be made returnable to, and be heard and determined in the court to be holden as aforesaid.

SEC. 4. *Be it further enacted*, That all motions in arrest of Judgment, all demurrers in law, all cases submitted to the court on a statement of facts, and all other matters which may arise in the Supreme Judicial Court holden in either of said counties, which requires three or more of the Justices of said court to determine, shall be heard and determined by the said court by this act established.

SEC. 5. *Be it further enacted*, That it shall be the duty of each of the clerks of said courts in the said counties seasonably to transmit to the clerk for the county in which the said court shall be holden, a docket containing a list of all the actions originally entered in his office, which are to be heard and tried in the court, by this act established, with the files and other papers belonging to said causes; and all the new entries made at said court, shall be made in the docket of the clerk of the county, from whose office the writ issued; and such docket, together with the files and papers aforesaid, not belonging to the office of the clerk of the county, in which such court shall be holden, after the rising of said court, shall be forthwith transmitted to the clerk for the county to which they may appertain, who shall record all the judgments and proceedings of the court relating to suits or other matters depending in his county or belonging thereto; and shall issue executions and other processes thereon, in like manner as if the same had been transacted in the county for which he is clerk.

Shall transmit a docket

SEC. 6. *Be it further enacted*, That if any person shall be indicted for any capital offence by the Grand Jury of either of said counties, and being arraigned therefor, before the Supreme Judicial Court, when but one of the Justices thereof is present, and shall plead not guilty to such indictment, the Justice before whom such court shall be holden, after assigning counsel for the prisoner and doing all things necessary and proper preparatory for the trial, shall give notice to one or more

Shall give notice to the Justices

of the Justices of said court, that he or they may attend the trial; and such indictment shall not be tried unless before two or more of said Justices: and two or more of said Justices shall attend for that purpose at the same term on the day assigned for the trial.

Justices
habited.

SEC. 7. *Be it further enacted*, That it shall not be necessary for more than one of the Justices of the said court, to attend at any term of said court, to be holden in either of said counties, excepting the one by this act established, or for the purpose of trying a person, who is indicted for a capital offence as aforesaid.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXI.

An Act to incorporate Ebenezer Francis and others, by the name of The Central Wharf and Wet Dock Corporation.

Persons in-
corporated.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Ebenezer Francis, Uriah Cotting, Francis C. Lowell, and David Hinckley, with their associates, successors and assigns, shall be, and hereby are constituted a body politic and corporate, by the name of The Central Wharf and Wet Dock Corporation; and the said corporation, by the said name, are hereby declared and made capable in law to sue and be sued, to implead and be impleaded, to have a common seal, and alter and renew the same at pleasure, to make rules and by-laws for the regulation and management of their estate, consistent with the laws of this Commonwealth, and, generally, do and execute whatever by law shall appertain to bodies politic.

May hold
and possess
wharf, &c.

SEC. 2. *Be it further enacted*, That the said corporation shall be, and hereby is declared capable to have, hold, and possess all the wharf, lands, and flats, situated in the town of Boston, and bounded southerly by India-Wharf, westerly by the range of stores on India-

street, so called, and northerly by the Long-Wharf; *provided* the lawful owners or proprietors thereof legally convey the same to the said corporation; and the said corporation shall have power and liberty to grant, sell, and alien in fee simple or otherwise their corporate property, or any part thereof, being situated within the aforesaid limits and boundaries, and to have, manage, and improve the same, according to the will and pleasure of the said corporation, to be expressed at any legal meeting.

SEC. 3. *Be it further enacted*, That all the said corporate property shall be divided into four hundred shares, and the said corporation may, at any legal meeting, agree upon the form of deeds to be given by said corporation to the original proprietors, of the number of shares by them respectively held; which deeds shall be under the seal of said corporation, shall be signed by the president thereof, and duly acknowledged and recorded in the registry of deeds, for the county of Suffolk. And said corporation shall have power, from time to time, upon each share to assess such sums of money as may be deemed necessary, for erecting and making wet docks, wharves, and buildings, within the aforesaid limits, and generally for the improvement and good management of said estate, agreeably to the true intent of this act; and to sell and dispose of the shares of delinquent proprietors for the payment of such assessments, at such time and manner as the said corporation may determine; and in case of such sale, a deed or deeds duly executed and acknowledged by the president of the said corporation, or by any other person for that purpose, especially authorized by the said corporation, and recorded in the registry of deeds, for the county of Suffolk, shall be as effectual to convey such delinquent proprietor's estate and interest in such shares, as if the same had been made and executed by such proprietor himself: *Provided however*, that no assessment shall be made at any meeting, unless agreed to by two thirds at least, both in number and value of those present and represented, nor unless notice shall have been given at least ten days previous to such meeting of the purpose of such

Property divided into shares.

Power to assess money,

Provided.

meeting, by publishing the same in some one or more of the newspapers printed in Boston.

Transfer of
shares.

Proviso.

Shall not di-
vide wharf.

May call a
meeting.

SEC. 4. *Be it further enacted*, That the shares of each proprietor, in said corporate property shall be considered in all respects real estate; shall be transferred and conveyed in the usual manner by deed duly acknowledged and recorded, and shall be subject and liable to attachment and execution, to dower and descent to heirs and to all other incidents of real estate; *Provided however*, that in case of levying an execution on any of said shares, the same shall not be appraised and set off to the creditor on such execution, but such share or shares shall be sold by the officer having the execution, in like manner, in all respects as is by law prescribed for the sale of rights in equity of redeeming real estates mortgaged; and the debtor shall have the liberty of redeeming the shares so sold, within one year after the conveyance thereof by the officer, by paying the sum that may have been given therefor at such sales, with the interest thereon, and also all assessments which may have been in the meantime paid by the purchaser, his heirs or assigns, with the interest thereon, deducting the dividends, rents, and profits, which the purchaser, his heirs or assigns may have received; and no part of the land, wharf, or estate of said corporation shall ever be divided, or set off by metes and bounds on any such execution against any individual proprietor, nor on any assignment of dower, nor on any partition or division among the heirs of any proprietor, nor on any suit or petition of any such proprietor.

SEC. 5. *Be it further enacted* That the said Francis and Cotting, or either of them, may call a meeting of said corporation, by advertising the same in any of the public newspapers printed in Boston, at least ten days before the time of meeting; and, at that or any other legal meeting, the said corporation may agree on the mode of calling and warning future meetings, and may elect a president, trustees, clerk, or such other officers as they may judge fit for the orderly conducting their affairs, and the prudent management of their estate; and such officers, at their pleasure may change or remove: and at

all their meetings the proprietors present may act according to their interest in said property, allowing one vote to each share, and absent proprietors may vote by proxy authorized in writing.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXII.

An Act in further addition to an act, entitled "An act for the support and regulation of Mills."

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That whenever a jury shall be ordered by the court for the purposes expressed in an act, entitled "An act for the support and regulation of Mills," the same shall be selected in manner following, viz. The sheriff or coroner, to whom the warrant shall be directed, shall in writing require of the selectmen of the three towns nearest to that in which the land injured is situated, if so many there be within the same county, to return a number of jurors (not less than two, nor more than six from any one town) to serve on the panel; which jurors shall be drawn from the jury box, notified and returned as in other cases, excepting that the town need not be assembled, and that notice to the persons drawn, one day previous to the time appointed for their attendance shall be sufficient; and if any person so returned shall unnecessarily fail to attend, he shall forfeit and pay a sum not exceeding ten dollars, at the discretion of the court to whom the verdict shall be returned, to be divided among the jurors who do attend; and if, from accident or challenge, there shall not be a full jury, the officer shall return some suitable person or persons to supply the deficiency. And every person serving on such jury shall receive one dollar and twenty-five cents for each day's attendance, and four cents a mile for his travel going and returning.

Calling of a jury.

Penalty for not attending.

Fees.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXIII.

An Act to repeal an act, entitled "An act to provide for the settlement of accounts for military services and supplies," and to provide for the appointment, and to define the powers of a Board of War.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That an act, entitled "An act to provide for the settlement of accounts for military services and supplies," passed on the fifteenth day of October last, be, and the same is hereby repealed.

Act repealed

SEC. 2. *Be it further enacted,* That His Excellency the Governor, with advice of Council, shall appoint three suitable persons, who shall constitute and be denominated The Board of War, whose duty it shall be, from and after the present session of the General Court, to receive, adjust, and finally to settle all accounts against the Commonwealth, for military services or supplies, and for expenses, connected with any military operations, rendered by, or under the authority of the state, in consequence of the late war; and the said Board of War may prescribe the forms of accounts, and direct what vouchers shall be necessary to passing all such accounts; and said Board shall also perform and execute all such other duties, as shall from time to time be enjoined on, or entrusted to them by the Governor of the Commonwealth, agreeable to the constitution, relative to military commissions, and to the land and naval forces, ships or warlike stores of this Commonwealth, or to such other matters respecting military or naval affairs, as the Governor shall assign to the said Board; and also to do and perform all such duties as by any act or resolve of the legislature have been or may be enjoined on or confided to the Board of War, and to finish and perfect any act of duty that has been commenced by the existing Board of War, under their legal authority, and which at the termination of the present session of the General Court shall remain incomplete or unexecuted.

Board of war appointed.

Duty of.

SEC. 3. *Be it further enacted*, That the said Board of War shall prepare and arrange the claim of this state against the United States, with the vouchers to support the same, and file all such papers and accounts in the office of the Secretary of the Commonwealth, in such manner and under such directions, as they may from time to time receive from the Governor and Council, or the Legislature; and they shall also make monthly reports to the Governor and Council, when in session, of all accounts allowed by them.

To prepare
claim against
the U.States.

SEC. 4. *Be it further enacted*, That the said Board of War be authorized and directed to sell, in such manner as in their judgment will produce to the Commonwealth the greatest avail, the hulks that have been prepared to be sunk in the harbour of Boston, and such redundant munitions of war, camp equipage, barracks, and other articles, as have been prepared for the public defence, as His Excellency the Governor, with advice of the Council, shall direct; and pay over the proceeds to the Treasurer of the Commonwealth.

To sell the
hulks, &c.

SEC. 5. *Be it further enacted*, That the said Board may appoint a secretary, and such number of clerks, not exceeding three, as they may find necessary; and shall make them a reasonable compensation for their services.

May appoint
officers.

SEC. 6. *Be it further enacted*, That the authority and duties of said Board of War shall cease at the end of the first session of the next General Court, and that they shall be entitled to receive the sum of five hundred dollars each, as a compensation for their services; for which the Governor with the advice of Council is hereby authorized to draw a warrant on the Treasury.

Compensa-
tion.

SEC. 7. *Be it further enacted*, That the Treasurer of the Commonwealth be, and he hereby is authorized and directed to pay, on any warrant which the Governor, with the advice of Council, may draw in favour of the Board of War, to discharge the duties of their appointment, such sums of money as said Board of War, or any two of them, from time to time may draw orders for upon him, to the person therein named, expressing in each order the nature of the claim; and the amount of said orders shall be from time to time discharged upon said warrants by the Board of War, or any two of them.

Treasurer
authorized.

Governor
may draw
warrants.

SEC. 8. *Be it further enacted*, That the Governor, with the advice of Council, may draw his warrants on the treasurer in favour of the said Board of War, for such sums as may from time to time be required, for paying said accounts; which sums shall remain in the hands of the Treasurer, subject to the orders of the Board of War, or any two of them, in the manner above provided.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXIV.

An Act to protect the Sepulchres of the Dead.

Penalty for
taking dead
bodies.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That if any person, not being authorized by the Board of Health, or the selectmen of any town in this Commonwealth, shall knowingly and wilfully dig up, remove or carry away, or aid or assist in digging up, removing or carrying away any human body, or the remains thereof, such person or persons, so offending, shall, on conviction of such offence, in the Supreme Judicial Court of this Commonwealth, be imprisoned, not more than one year, or fined, not more than one thousand dollars, according to the nature and aggravation of the offence.

Proviso.

SEC. 2. *Be it further enacted*, That if any person or persons knowingly and wilfully receive, conceal, or dispose of any human body, or the remains thereof, which shall have been dug up, removed, or carried away in the manner described in the first section of this act, he or they shall be subject to the same forfeitures and penalties, as in said section is provided, on conviction thereof in the court aforesaid: *Provided however*, that nothing in this act shall be so construed as to affect the power or authority in the courts of the United States, or of this Commonwealth, or of any person acting under the authority of the same, in removing or disposing of the bodies of persons executed pursuant to any sentence of such court.

SEC. 3. *Be it further enacted, That all fines, accruing under this act, shall enure, one half to the informer, and one half to the town in which the offence is committed.* Fines.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXV.

An Act in addition to the several acts defining the general powers and duties of Turnpike Corporations.

BE *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That it shall be lawful for all Turnpike Corporations, that are, or may be established by law, to demand and receive, in addition to the present rates of toll, for every cart or waggon drawn by more than four oxen or horses, two cents for each additional ox or horse.* Additional
Toll.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXVI.

An Act in addition to an act, entitled "An act to incorporate William Bartlet and others into a company, by the name of The Merrimack Insurance Company."

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That any creditor or creditors of the Newburyport Marine Insurance Company, or of the Merrimack Marine and Fire Insurance Company, may sustain and prosecute to final judgment, actions at law against the said companies respectively, any thing in the fifteenth section of the act, entitled "An act to incorporate William Bartlet and others into a Company, by the name of The Merrimack Insurance Company," to the contrary notwithstanding.* Creditors
may prose-
cute compa-
ny.

Duty of
Committee.

SEC. 2. *Be it further enacted*, That it shall be the duty of any Committee appointed, or to be appointed by either of said companies, pursuant to the provisions of the said fifteenth section of the act aforesaid, to pay and satisfy any judgment, which may be recovered against the company appointing such committee, out of any property or effects belonging to the same, which may be in the hands of such committee, at the time of their receiving notice of the action in which such judgment may be rendered; and for this purpose to retain in their hands such property and effects, or so much thereof as may be necessary therefor, from and after the time of receiving such notice.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXVII.

An Act authorizing the establishment of Law Libraries.

Justice to is-
sue warrant.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That in every county within this Commonwealth, wherein there shall reside five or more attorneys at law regularly admitted and sworn to practice before the Circuit Court of Common Pleas, it shall be lawful for any five or more of them to make application in writing to any Justice of the Peace within and for said county, requesting him to issue his warrant for calling a meeting of the practitioners at law within the same county to meet at some certain time and place for the purpose of organizing the establishment of a Law Library; and such Justice shall thereupon issue a warrant under his hand and seal directed to some practitioner at law residing within the shire town of said county, requiring him to notify the other members of the bar residing therein, either personally or by written notification posted up at some conspicuous place in the Court-House in said county, at least seven days before the time of meeting as mentioned in said warrant, which meeting shall be holden, at the next succeeding term of

the Circuit Court of Common Pleas in said county on some day subsequent to the second day from the commencement of its session; and the person to whom such warrant is directed shall serve the same in manner as aforesaid, and make return thereof under his hand to the Justice who issued the same, or to some other Justice of the Peace within and for said county, whose duty it shall be to preside at said meeting in the choice of a clerk, a treasurer and librarian, each of whom shall thereupon be sworn by the presiding officer, to the faithful discharge of their respective duties, and to hold their offices during the pleasure of the association: and the said members of the bar so notified and met, to the number of five or more, shall at their first meeting prescribe the mode of calling future meetings of said association, and establish such rules and regulations as may be found necessary from time to time, to carry the purposes of this act into effect, not repugnant to the constitution and laws of this Commonwealth: and at all future meetings the oldest member of the bar residing within said county, who is present, shall preside.

Duty of person to whom warrant is directed.

SEC. 2. *Be it further enacted*, That the sum of twenty dollars, which by law is now paid into the county treasury, on the admission of all practitioners at the bar of the Circuit Court of Common Pleas, shall hereafter be paid to the treasurer of every law library association in any county in this Commonwealth that shall be formed in pursuance of this act, which treasurer shall give his receipt therefor to the person paying the same, which sum so paid, as duty or excise as aforesaid, together with all bequests and donations made thereto, shall be applied, under the direction of said association, to form a law library, for the use of said county, under such reasonable regulations as the said association may appoint. And the clerk of said association shall keep an exact record of all the proceedings thereof, and the said treasurer shall keep an exact account of all monies, donations, and bequests belonging to said association, which account he shall be holden annually to settle under oath with the association, in such manner as they shall prescribe; and the librarian, as well as the treasurer and clerk, shall be answerable in an action of the

Payment of admission money.

Proviso.

case for all malfeasance or misfeasance in their respective offices to the association aforesaid, by the name of "The Law Library Association," for the county within which it is formed: *Provided however*, that the Law Library aforesaid shall be kept in a shire town within the county.

Act in part
repealed.

SEC. 3. *Be it further enacted*, That the act passed on the twenty-seventh day of February, in the year of our Lord one thousand seven hundred and ninety-six, so far as it relates to the payment of twenty dollars into the county treasury by persons admitted to practice law before the Circuit Courts of Common Pleas, as it relates to the counties in this Commonwealth, in which law library associations are, or shall be formed, in pursuance of this act, and as to the receipt to be given by the county treasurer therefor, be, and the same is hereby repealed.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXVIII.

An Act to authorize The proprietors of a Marsh, in Rowley, to repair and maintain a Dike.

Preamble.

WHEREAS Thomas Mighill and others, proprietors of a marsh and rough meadow, lying in Rowley, known by the name of The Cowbridge Marsh and Rough Meadow, did (agreeably to a law passed for that purpose) erect a dike, thereby excluding the sea from said marsh and meadow; and whereas it is found by experience, that said marsh and meadow require management so very different that the interest of said proprietors cannot be promoted by their longer continuing one entire body corporate: Therefore,

Persons in-
corporated.

SEC. 1. *BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Enoch Tenney and others, proprietors of all that part of the aforesaid Cowbridge marsh, which is situated below the new dike, erected across the marsh of Daniel Todd, jun. and Caleb

Todd, be, and they, with their heirs and assigns, are hereby incorporated for the purpose of repairing and maintaining the old dike forever; and for this purpose shall have all the powers and privileges (except that of assessing taxes upon the proprietors of the aforesaid rough meadow) and be subject to all the duties and requirements prescribed and contained in an act, entitled "An act to enable the proprietors of a marsh and rough meadow lying in the town of Rowley, to make and maintain a dike for the better improving said marsh and meadow," passed on the twenty-fourth day of June, in the year of our Lord one thousand seven hundred and eighty-nine.

Powers and
privileges.

SEC. 2. *Be it further enacted*, That the proprietors of said Cowbridge dike marsh may, at any legal meeting thereof, called for that purpose, abate so much of any individual proprietor's tax or taxes, or may altogether omit taxing any such proprietor or proprietors, who, in the opinion of said meeting, are not, nor will be benefited by the repairing and maintaining the said dike: *Provided*, two thirds of all those interested therein present at any such meeting be in favour thereof, and not otherwise; the votes to be collected according to the interest of the said proprietors.

May abate
taxes.

Proviso.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXIX.

An Act to extend the time for making the Woburn Turnpike Road, and Dracut Bridge.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That, from and after the passing of this act, the further time of two years be, and hereby is granted to the corporation, for building the Dracut Bridge and Woburn Turnpike Road, the time limited in the act granting the said bridge and road having expired notwithstanding.

Further time
allowed.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXX.

An Act providing Compensation to Militia Officers, in certain cases.

SEC. 1. **BE** it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That militia officers, excepting Judge Advocates, while serving on courts martial, courts of inquiry, and military boards, including supernumeraries and marshals, shall be entitled to the same pay and allowance for the same number of rations per day, as militia officers of infantry of the same grade are entitled to while in actual service.

Pay of the
officers serving.

SEC. 2. *Be it further enacted,* That each officer aforesaid shall be entitled to pay and allowance for rations to and from the place of the courts, or boards sitting, at the rate of thirty miles per day, and allowance for forage, when the same shall be necessary; but in no instance to be allowed forage for more than one horse.

Rations and
Forage

SEC. 3. *Be it further enacted,* That Judge Advocates, while employed on courts martial, or courts of inquiry, or military boards, shall be entitled to double the pay and allowance for rations, to which officers of infantry of the same grade are entitled, while in actual service; which allowance shall include their compensation for the time necessarily employed in preparing papers, made requisite previous to, and making the necessary copies after any trial, inquiry, or investigation, and single pay and allowance for rations to and from the place of the courts or boards sitting; at the rate of thirty miles per day; and the Judge Advocates shall be allowed for forage for one horse, and shall also be compensated for the stationary necessary for them and the courts or boards on or with which they may be ordered to act.

Pay of Judge
Advocate.

SEC. 4. *Be it further enacted,* That the fees for subpoenas for witnesses on the part of the Commonwealth, and for making service shall be the same as are allowed in civil causes, and the witness shall be allowed for travel

F
s

four cents per mile, to and from the place of the courts or boards sitting, and fifty cents for each days attendance.

SEC. 5. *Be it further enacted*, That no allowance for pay or rations shall hereafter be made for any military guard attending a court martial, unless the officer appointing the court shall order such guard. Ordering of guards.

SEC. 6. *Be it further enacted*, That no officer appointing a court martial, court of inquiry, or board of officers, shall order out a guard, unless in his judgment such guard be necessary to protect said court martial, court of inquiry, or Board of officers.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXXI.

An Act to incorporate The Proprietors of the Fryeburgh Canal.

SEC. 1. **BE** *it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same*, That Robert Chandler, John Stevens, jun. Charles Walker, Henry D. Hutchings, Samuel Walker, Samuel Walker, jun. John Charles, jun. Isaac Charles, Samuel Charles, James Charles, Simeon Charles, Joseph Charles, John Charles, Ebenezer Stevens, Samuel Stevens, Joseph Colby, Nathaniel Frye, Benjamin Wilie, jun. George Wilie, John Wilie, William Eaton, Putnam Farrington, Thomas Farrington, Jacob Farrington, Ebenezer Day, Benjamin Day, John Knight, Jeremiah Bradley, Daniel Day, Thaddeus Bemis, Oliver Whiting, Samuel McKeen, Samuel M. K. Whiting, Oliver Whiting, jun. Moses Day, jun. and Joseph Knight, with their associates, successors and assigns, be, and they are hereby incorporated, by the name of The Proprietors of the Fryeburgh Canal; and by that name may sue and be sued, plead and be impleaded, to final judgment and execution; and are hereby vested with all the powers and privileges, which are by law incident to corporations of the like nature, for the purpose of opening a new channel for Saco river, within the town Persons incorporated.
To open new channel.

Boundaries.

of Fryeburgh, in the following direction ; beginning on the northerly bank of said river, on land formerly owned by Joseph Frye, about fifty rods southwesterly of the dwellinghouse of William Russell, and running through the lands of Ebenezer Fessenden, jun. Peter Walker, Isaac Abbot, and Stephen Abbot, to bean pond, and from said pond, through the canal to bog pond, and thence eastwardly to said Saco river, near the dwelling house of Simon Frye.

Shall make
good all
damages.

SEC. 2. *Be it further enacted*, That the said Joseph Chandler, and others before named, shall be liable in their individual as well as in their corporate capacity, to make good all damages sustained by any person or persons, in consequence of opening said new channel, and the real estate now holden by the said Joseph Chandler and others, whether in common or severally, shall be subject to be taken and set off on execution, to respond any damages which may be recovered by any individual by reason of opening said new channel.

May choose
committee.

SEC. 3. *Be it further enacted*, That in all cases where any person shall be damaged in his property, by reason of opening or managing said new channel or canal, and the said proprietors do not within thirty days, after being requested thereto in writing, make or tender reasonable satisfaction to the acceptance of the person so damaged, such person, damaged as aforesaid, may apply in writing to the Circuit Court of Common Pleas, or to the Supreme Judicial Court, holden within the county where the damage is sustained within two years thereafter for redress ; whereupon the said court shall order reasonable notice to the adverse party to appear before said court to agree, if the parties can, upon the choice of three disinterested freeholders, who shall be authorized, if both parties consent thereto, to hear and finally determine the question of damages accruing to the party complaining up to the time of hearing before said committee, without the intervention of a jury, the said committee first being sworn faithfully and impartially to perform the duties required of them by their appointment, and they shall give reasonable notice to all persons concerned, of the time and place, by them appointed for hearing the parties ; and they, or the major part of them, shall make report of

their doings under their hands, to the first term of the said court, in the said county, after said service is performed; which report being accepted by the said court, judgment shall be rendered, and execution shall issue accordingly, which shall be final and conclusive on the parties, as to the subject of such demand: *Provided how-* Proviso.
ever, that if the proprietors of the said Fryeburgh canal shall have tendered to the party claiming damages, any sum of money, prior to any application being made to said court therefor, and the said committee by their report do find that the party complaining is not entitled to recover a larger sum in damages than was tendered to him or them by the proprietors as aforesaid, the said court shall render judgment against the said proprietors for the damages, but no cost. And in all cases where the parties, after having been notified by the court aforesaid, do not appear and agree upon a committee, in the manner prescribed by this act, that it shall be the duty of the court, Duty of the court.
to whom application is made, by any person suffering damage as aforesaid, forthwith to hear and determine the same by a Jury, to be empaneled and sworn for that purpose; the verdict of such jury being confirmed by the court, judgment shall be rendered, and execution shall issue accordingly, but no cost shall be allowed the party recovering damages, unless the sum given by the verdict of the jury be greater than the sum which may have been tendered in damages to the party complaining, before application was made to the court.

SEC. 4. *Be it further enacted,* That any Justice of the Peace in the town of Fryeburgh is hereby authorized, upon application by any three of the members of said proprietors in writing, to grant a warrant, directed to one of the said proprietors, to call a meeting of his associates, Justice to issue warrant.
to meet at such time and place within said town of Fryeburgh as shall be therein appointed, to organize the said corporation, by the appointment of its officers; and the said corporation, being thus organized, may then and there establish the mode of calling future meetings of the proprietors, and adopt such rules and regulations for their government, as they may think proper.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXXII.

An act establishing a Salary for the Adjutant General.

Salary esta-
blished.

BE it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That there shall be allowed and paid out of the treasury of this Commonwealth, the sum of one thousand dollars, for six months from the date of this act, to the Adjutant General, in full compensation for his services during that time, to be paid in equal quarterly payments.

[Approved by the Governor, March 2, 1815.]

CHAP. CLXXXIII.

Tax act.

An Act to apportion and assess a Tax of one hundred and thirty-three thousand three hundred and thirty-four dollars, and ninety-two cents, and providing for the reimbursement of fifty-two thousand six hundred and forty dollars, paid out of the public treasury to the members of the House of Representatives, for their attendance at the three last sessions of the General Court.

[Approved by the Governor, March 2, 1815.]

END OF JANUARY SESSION.

Commonwealth of Massachusetts.

SECRETARY'S OFFICE, May 10th, 1815.

By this, I certify that the laws contained in this Pamphlet, passed at the session of the General Court in October 1814, and at that begun the 18th of January and ending on the 2d of March 1815, have been examined and compared with the originals in this office, and that they appear to be correct.

ALDEN BRADFORD, *Secretary
of the Commonwealth,*

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